BALTIJAS ŽURNĀLS

EDITORIAL BOARD

The editorial board implements the editorial policy of the Journal, determines the topical topic of the Journal, organizes scientific review and editing of articles, approves the content of the regular numbers of the Journal, prepares materials for publication, determines issues of distribution of the Journal.

The editorial policy of the Journal is to promote the development of objective scientific knowledge, open communication between scientists. The editorial board distances itself from political assessments of socio-political phenomena that are made by the authors of the articles.

The Senate of the Baltic International Academy approves the composition (or changes) of the editorial board.

Contents

THEORY AND PRACTICES OF LAW

TYPES OF LEGAL INSTRUMENTS FOR ENSURING
THE SOCIAL FUNCTION OF THE STATE AND THEIR FEATURES

Khrystyna Dzhura,
PhD in Law
ORCID ID: 0000-0002-5596-5307
djs836@gmail.com

Abstract. The article provides a thorough general theoretical analysis of the types of legal instruments for ensuring the social function of the state, in particular prohibitions, obligations and guarantees, which are considered key legal elements of the implementation of social policy in the context of modern complex social challenges, in particular taking into account martial law. It is substantiated that the above-mentioned legal instruments form the boundaries of permitted behavior and determine specific zones of state intervention in the social sphere, contributing to the stability of the social environment in the context of ensuring social legal standards.

Prohibitions are characterized as a tool of preventive influence that prevents violations of social rights by establishing clear legal restrictions. Obligations are interpreted as an active form of implementing a social function, designed to ensure the effective fulfillment by the state of its social obligations to various segments of the population. The article draws attention to the need for a clear normative formulation of obligations to ensure unambiguous application of law and avoid value judgments.

A separate analysis is devoted to guarantees that determine the mandatory nature of state actions to ensure social rights, in particular in crisis or non-standard situations. Guarantees are considered as a tool that accumulates obligations and prohibitions, and also ensures the unconditional implementation of the social function of the state. The specifics of each of the features of legal instruments for ensuring the social function of the state are formulated and analyzed. It is proven that legal instruments operate systematically in interaction, complementing each other depending on the scope of application.

Key words: social function of the state, legal instruments, prohibitions, obligations, guarantees, social rights, legal mechanism, social legislation.

Introduction. The modern development of the state is largely determined by its ability to effectively implement the social function, which ensures the protection of the rights and legitimate interests of the population in the social sphere. In conditions of economic instability and martial law, which leads to an aggravation of social risks, the issue of the effective functioning of legal mechanisms aimed at implementing the social function of the state becomes particularly relevant. In this context, the use of effective legal instruments that are able to ensure compliance with social rights and promote their dynamic implementation in accordance with the needs of society in the current difficult conditions is of key importance. The definition and study of such legal instruments as prohibitions, obligations and guarantees is an urgent task of social security law, which allows us to clarify their essential characteristics. These legal instruments serve as legal means of regulating social relations and determine the limits of state intervention, ensure the necessary level of protection of social rights and create conditions for preventing violations in this area. In view of the above, a comprehensive analysis of legal instruments for ensuring the social function of the state allows for the optimization of existing legal mechanisms, which contributes to a more effective implementation of the social rights of citizens and the strengthening of social stability in society.

Research status. The issue of determining legal instruments for ensuring the social function of the state has been studied to one degree or another in the works of various scientists, among whom it is first of all appropriate to highlight the following: I.V. Aristova, A.Yu. Badyda, O.F. Vakulenko, V.V. Vashkovich, N.V. Galitsyna, O.F. Danych, O.M. Ilyushyk, M.I. Inshin, R.I. Kovalenko, G.V. Kravets, O.Z. Pankevych, V.E. Safonova, D.I. Sirokha, D.M. Skovronsky, O.V. Skrypnyuk, A.V. Stukalov, L.V. Tereshchenko, I.M. Tkachenko, N.M. Khoma, P.O. Shorsky, I.V. Yakovyuk, O.M. Yaroshenko and many other scientists. However, it is worth noting that due attention was not paid directly to the systematic analysis of the types of legal instruments for ensuring the social function of the state and their features, which determines the relevance of our study.

The purpose of the article is an analysis and general theoretical characteristic of the types of legal instruments for ensuring the social function of the state.

Presentation of the main material. Security tools are used to influence the behavior of all participants in relations to implement the social function of the state in order to establish permissible limits of activity, prevent unlawful actions and encourage compliance with the rules of law. N. I. Buryatynska notes that security tools are legal means, as actions and their combinations, carried out by subjects depending on the degree of permissibility for the purpose of achieving socially useful goals. At the same time, such actions are modeled and secured in the rules of law (Buryatynska N.I., 2016:190). The level of permissibility also determines the diversity of actions of the participants in the relationship and their freedom when making certain decisions. It is clear that it is impossible to foresee in the norms of law all situations and behavior of the participants, therefore it is important that the instruments of provision are universal and adapted to the areas of social security or even specific social rights. Accordingly, it is possible to distinguish the following instruments of provision of the social function of the state:

1. Prohibitions as tools for ensuring the social function of the state;
2. Obligations as tools for ensuring the social function of the state;
3. Guarantees as tools for ensuring the social function of the state.

Legal prohibitions have a wide range of tools, thanks to which such legal methods of influence directly regulate social relations that arise at different levels and in different spheres of social life (Platonenko O., 2019: 231). The formulation of legal prohibitions as an instrument for ensuring the social function of the state is a manifestation of the preventive and at the same time stabilizing potential of law. In the social sphere, a legal prohibition serves as a way to prevent forms of discrimination, abuse of power, violation of personal dignity and reduction of social risks. When studying prohibitions in the operation of the mechanism for legal ensuring the social function of the state, first of all, their number and conditionality of use should be noted. Thus, the use of prohibitions has a positive effect on security, since from their content it is immediately clear which actions are unacceptable and will lead to legal liability. At the same time, excessive and unjustified use of prohibitions to ensure the social function of the state may mean excessive state intervention, loss of flexibility of legal regulation, emergence of gaps and even insufficiency of social protection. Therefore, the main principle of using prohibitions as a tool for ensuring is proportionality and legal conditionality of establishing restrictions. An example can be Art. 39 of the Law of Ukraine "On Employment of the Population", which stipulates that a business entity is prohibited from sending employees to jobs with an employer who has reduced the staff during the year, does not comply with the regulatory number of employees involved in technological production processes; involves employees in work in harmful, difficult working conditions. That is, a prohibition as a tool for ensuring the social function may apply to the behavior not only of officials of public authorities, but also of any entities that in some way influence the social sphere and the implementation of social rights. Compliance with the prohibition determines the passivity of the actions of the entities to which it applies.

In the explanatory dictionary, an obligation is interpreted as a promise that must be fulfilled, a promise as a voluntarily given obligation to do something (Zagnitko A.P., 2008: 323). That is, an obligation is considered as a legal category and as a moral and ethical imperative that requires mandatory actions. An obligation, on the contrary, as a tool for ensuring requires active activity to comply with a legislative requirement. For example, in Art. 8 of the Law of Ukraine "On Social Services" it is determined that social service providers are obliged: to ensure the best interests of recipients of social services; to assess the needs of an individual or family; to provide training for workers who provide social services. That is, the obligations concern persons who actively contribute to the implementation of the social function of the state, and not to the exercise of their rights, and therefore they extend to public authorities, providers of social services, trade unions and other public organizations that provide protection to certain categories of persons. Another difference between obligations is that their fulfillment may have varying degrees of appropriateness, and the content itself may depend on interpretation. Therefore, it is important to clarify legal liability for failure to comply with a particular obligation, as well as to avoid evaluative concepts when formulating them in legal norms.

As Z.S. Kravtsova correctly notes, legal guarantees in the context of state activity, in particular in ensuring a social function, are determined by the laws of social development and are normatively enshrined in a system of conditions, means and methods that ensure the effective and efficient implementation of the rights assigned to bodies and officials of state power and the proper fulfillment of their duties in the interests of the Ukrainian people, combining international, national and local interests. The key elements of the system of guarantees of state power are the conditions, means and methods that ensure the effective implementation of state power in Ukraine (Kravtsova Z.S., 2019: 84). The above allows us to consider legal guarantees as an instrument for implementing state will and as a mechanism for ensuring the proper functioning of public power in the social dimension, that is, in a manner that meets social legal standards, social expectations and international obligations of Ukraine. Therefore, guarantees in the context of implementing the social function of the state should be understood as a normatively embodied form of responsibility of public authorities to the people, which is the basis of trust, legitimacy, and functional effectiveness of state policy in the field of social security.

In general, it is appropriate to note that guarantees, as tools for ensuring the social function, are already more related to the social rights and interests of the entire population and determine the boundaries and mandatory actions of the state in matters of implementing the social function. For example, in Article 25 of the Law of Ukraine "On Prevention and Counteraction to Domestic Violence" it is established that the perpetrator, authorized units of the National Police of Ukraine shall issue an urgent restraining order in the event of an immediate threat to the life and health of the victim in order to immediately stop domestic violence and prevent its continuation or recurrence. Guarantees are characterized by detail and mandatory participation of public authorities. At the same time, such participation can be both active, as in this case, and passive in terms of not creating obstacles, prompt acceptance of applications, and unconditional provision of social assistance. Guarantees are most closely related to social rights and are applied in cases where there are risks in their implementation due to slowness or abuse of power.

Thus, the features of the instruments of ensuring the legal mechanism for ensuring the social function of the state can include:

1) normative specification – each instrument must be clearly enshrined in the norms of law with a definition of the content, form, grounds for application, subjects of implementation and consequences of law enforcement. The absence of such specification causes risks for legal certainty, creates gaps in the protection of social rights. The specification of legal instruments allows to ensure the same

application of law regardless of the individual assessments of officials. What we have mentioned makes it impossible to arbitrary interpretation of provisions and contributes to the establishment of the principle of the rule of law in the social sphere. In addition, such a feature is critically important in transitional societies, where the role of the social function of the state is strengthened, and the law itself serves as an instrument for stabilizing legal relations;

2) variability and adaptability – this is the ability of legal instruments for ensuring social functions to take on different forms depending on the scope of application. This feature allows the state to take into account dynamic changes in society, to flexibly respond to new challenges in the field of social protection, employment, health care, combating poverty, etc. Variability is ensured by the fact that the legislation defines the types of instruments, but their specific implementation may vary in by-laws, instructions, standards for the provision of social services. Adaptability provides for the ability of the legislator to respond promptly to social risks or crisis situations. For example, during times of war, state bodies must be able to quickly activate special guarantees or strengthen obligations for social security entities;

3) functional focus on effectiveness – that is, it means the effectiveness of legal influence, which is measured by the level of social needs, minimization of social risks, reduction of inequality and improvement of the quality of life of the population. Prohibitions, obligations and guarantees act as elements of a single system, where each of the instruments plays a certain role in achieving a holistic social result. Efficiency is achieved under the condition of systematic and proportional use of legal instruments. For example, prohibitions reduce the number of illegal actions through a deterrent mechanism, obligations stimulate the active participation of bodies in solving social issues, and guarantees ensure the sustainability and irreversibility of the provision of social benefits;

4) systemicity – means that legal instruments function in a systemic relationship, creating a coordinated legal structure. Prohibitions, obligations and guarantees interact with each other in a single legal field, complementing and balancing each other. For example, guarantees cannot be implemented without the existence of corresponding obligations, and the effectiveness of obligations often depends on the presence of prohibitions on alternative actions. Such an interrelationship contributes to the legal integrity and consistency of law enforcement practice. At the horizontal level of legal regulation, the instruments cover all areas of social security (healthcare, pension insurance, social services, assistance to the poor). At the vertical level, legal instruments are implemented at all levels of government: central, regional and local.

Conclusions. Thus, we can summarize that legal instruments for ensuring the social function of the state, in particular prohibitions, obligations and guarantees, are key mechanisms for influencing the social behavior of participants in the legal relations under study. Their correct and proportionate application ensures the effective implementation of social rights, while preventing potential abuses and violations. Prohibitions, as a tool for ensuring, should be applied carefully and reasonably in order to avoid excessive state intervention and ensure a balance between state control and the freedom of citizens to exercise their social rights.

Obligations, in turn, are characterized by active assistance from state and other entities in the implementation of the social function. However, their effectiveness largely depends on the specific formulation of legal norms, which eliminates the possibility of ambiguous interpretations and, accordingly, prevents a decrease in the quality of social security.

Guarantees play a crucial role in protecting the social rights of the population, ensuring the binding nature of actions by state bodies in cases where there are risks of violations of these rights due to abuse of power. It is thanks to the latter as a legal instrument that the state unconditionally fulfills its obligations in the field of social security.

References:

1. Buryatynska N. I. (2016) Pravovi zasoby: ponyattya ta vydy [Legal means: concepts and types]. Barsky Humanitarian and Pedagogical College named after M. Hrushevsky. P. 190–192 [in Ukraine].

2. Platonenko O. (2019) Pravovi zaborony ta obmezhennya, yikh zv″yazok iz ponyattyamy «derohatsiya», «abrohatsiya», «nulifikatsiya» [Legal prohibitions and restrictions, their connection with the concepts of "derogation", "abrogation", "nullification"]. Entrepreneurship, economy and law. No. 3. P. 231–235. [in Ukraine].

3. On employment of the population [Pro zaynyatist′ naselennya] 05.07.2012 No. 5067-VI. Bulletin of the Verkhovna Rada of Ukraine. 2013. No. 24. P. 1284.

4. Zagnitko A. P. (2008) Velykyy tlumachnyy slovnyk. Suchasna ukrayins′ka mova : 100 000: vid A do YA [Large explanatory dictionary. Modern Ukrainian language: 100,000: from A to Z]. Donetsk: BAO, 704 p. [in Ukraine].

5. On social services [Pro sotsial′ni posluhy] 17.01.2019 No. 2671-VIII. Bulletin of the Verkhovna Rada of Ukraine. 2019. No. 18. P. 5.

6. Kravtsova Z.S. (2019) Klasyfikatsiya harantiy zdiysnennya derzhavnoyi vlady v Ukrayini [Classification of guarantees of the exercise of state power in Ukraine]. Constitutional and legal academic studies. Issue 1. P. 80–86. [in Ukraine].

7. On prevention and counteraction to domestic violence [Pro zapobihannya ta protydiyu domashn′omu nasyl′stvu] 07.12.2017 No. 2229-VIII. Bulletin of the Verkhovna Rada of Ukraine. 2017. No. 5. P. 32.

THE ROLE OF COMPULSORY HEALTH INSURANCE IN ENSURING THE RIGHT TO HEALTH PROTECTION

Hasanov Nijat Rafael,
PhD Student, Faculty of Law,
Department of Labor and Environmental Law,
Baku State University (Baku, Azerbaijan)
ORCID ID: 0009-0006-6615-6421
nijat.hasanov07@gmail.com

Abstract. This article examines the role of compulsory health insurance in the realization of the right to health protection in the Republic of Azerbaijan. The right to health protection is recognized as an integral part of fundamental human rights, enshrined both in the national Constitution and in international legal instruments. However, the effective implementation of this right requires not only legal recognition but also functional mechanisms, including a sustainable and inclusive health insurance system. Since 2020, the introduction of compulsory health insurance in Azerbaijan has aimed to enhance access to healthcare services and improve public health outcomes. Nevertheless, issues such as regional disparities, inadequate funding models, personnel shortages, and service quality concerns continue to hinder the system's efficiency. The article explores the legal and institutional causes of these challenges and emphasizes the need for reforms within the existing legislative framework.

Key words: right to health, compulsory health insurance, legal guarantee, insurance relations.

Introduction. The Latin phrase "Orandum est ut sit mens sana in corpore sano" suggests that the concept of health encompasses not only physical health but also mental health and well-being (Kue Young, 2005, p.3). Despite the tendency in some legal literature to equate the concept of the "right to health" with the "right to health protection," we believe that the right to health protection should be classified among a person's social rights. The right to health itself, like other fundamental rights, refers to a person's inherent right from birth. However, the right to health protection involves the safeguarding of that right through various means. In this context, ensuring the protection of one's health is directly dependent on reforms aimed at guaranteeing a decent living standard and the fulfillment of the right to health. The right to health protection is recognized as a fundamental and inseparable human right in the system of human rights. This right is not only related to freedom from disease or physical impairment but also to ensuring physical, mental, and social well-being. The significance of the right to health lies in its close connection with other human rights; an unhealthy person's ability to receive education, work, or integrate into society is significantly limited. Therefore, the right to health protection is not just a health issue, but also a matter of social justice, equality, and the preservation of human dignity. International legal documents have clearly defined the essence of this right and the obligations of states in this regard.

Materials and Methods of Research. This study employs a mixed-methods approach to assess the role of compulsory health insurance (CHI) in realizing the right to health protection in Azerbaijan. Legal analysis focuses on Article 41 of the Constitution, the Law on Health Insurance, and international frameworks like the Universal Declaration of Human Rights. Quantitative data from the State Statistical Committee (2020–2024), the Ministry of Health, and CHI Agency reports were analyzed, covering population coverage, funding allocations, and healthcare workforce trends. Regional disparities were evaluated through comparative analysis of urban-rural service accessibility, infrastructure gaps, and service quality. Limitations include potential bias in government-published statistics and insufficient granular data on patient outcomes or informal healthcare expenditures.

Results and Discussion. By 2024, CHI covered 5.2 million citizens (50% of the population), with a 10% annual increase in service utilization, including 24 million outpatient visits and 485,315 inpatient admissions. Urban areas showed higher bed occupancy rates (32%) compared to rural regions, where limited infrastructure, laboratory shortages, and medical staff deficits hindered preventive care access. Despite increased funding (2.02 million AZN in 2024), rural infrastructure and staff training received only 220,303 AZN, exacerbating disparities. While CHI improved early detection of chronic diseases (e.g., cancer, diabetes), respiratory illnesses remained underdiagnosed in rural zones due to diagnostic gaps. These findings underscore the need for decentralized funding, workforce expansion, and preventive care campaigns to align CHI's outcomes with constitutional and international health equity obligations.

The discussion (main text). According to Article 25 of the Universal Declaration of Human Rights, every person has the right to an adequate standard of living for themselves and their family, including food, clothing, housing, medical care, and necessary social services to ensure their health and well-being, as well as the right to social security in case of unemployment, illness, disability, widowhood, old age, or other circumstances beyond their control. Additionally, Article 12 of the International Covenant on Economic, Social and Cultural Rights states that everyone has the right to the highest attainable standard of physical and mental health. Furthermore, this article requires states to take measures for the improvement of health, and to adopt a systematic approach to prevent and treat epidemics and other diseases. The World Health Organization (WHO) defines health as "not merely the absence of disease or infirmity, but the complete state of physical, mental, and social well-being." This approach demonstrates that individuals not only require treatment but also need support for a healthy lifestyle, the ability to live in a healthy environment, and equal access to medical services. Thus, the right to health is a multi-dimensional right that must be realized at both the individual and collective levels.

Many scholars argue that the right to health protection is one of the universally recognized fundamental human rights: it is enshrined in numerous international universal and regional treaties, as well as confirmed by numerous declarations and resolutions of intergovernmental organizations and conferences. Some of them asserts that the "right to health protection belongs to the group of social rights, which are part of the socio-economic rights". Other scholars highlight that the right to health protection is a broad and multifaceted concept, and the provision of medical assistance is just a small part of the health protection system.

It is reasonable to agree with the view that the right to health protection belongs to the group of socio-economic rights, as it extends beyond medical services to encompass both social and economic aspects. This approach connects the right to health not only with the provision of medical assistance but also with social security, education, working conditions, and other social issues. Therefore, for the right to health protection to be fully realized, it is not enough for the state to provide medical services; measures to improve social policies, quality of life, and economic conditions must also be implemented. Moreover, it is necessary to disagree with the idea that the right to health protection is solely concerned with medical services. While providing medical assistance is an important part of the right to health protection, it is not sufficient for the protection of every individual's rights. The right to health protection requires the state to implement various social measures to safeguard this right. This includes preventive measures, social security, and health education. The state's active and independent policies in this area are also an obligation enshrined in international law.

Professor M.N. Aliyev notes that, as a constitutional right, the right to health protection is not only about providing various types of medical care to individuals suffering from specific diseases. It also involves preventing harm to healthy individuals' health and protecting them from various diseases (Aliyev, 2016, p. 6). We agree with the author's perspective that the right to health protection should not be limited to providing medical care to individuals suffering from particular diseases. This right

should also involve the protection of healthy individuals from potential diseases, supporting their health status, and eliminating risk factors. In the context of constitutional rights, this broad interpretation of the right to health protection implies that the state has a duty to take preventive measures, not just reactive ones. In this regard, the author's approach aligns with the functional role of the right to health protection in the system of social rights and can be considered a progressive legal perspective aimed at ensuring human well-being. For example, measures such as preventing infectious diseases, vaccinating the population, public health campaigns, and addressing environmental hazards are not only directed at patients but also serve to protect the rights of healthy individuals. Thus, the author's viewpoint is consistent with approaches found in international legal documents (including WHO principles) and modern social state concepts.

Professor Z.A. Asgarov argues that the meaning of every individual's life, perception of the surrounding world, and work capacity are directly dependent on their health (Asgerov, 2002, p. 224) G. Aliyev states that when a person is unhealthy, the other benefits of life lose their significance to varying degrees. Therefore, the protection of health is crucial for a person's normal life and activity (Aliyev, 2000, p. 159). I.M. Jafarov believes that health is not only determined by the existence of diseases and physical impairments but is also an overall indicator of physical, mental, and social well-being. In this sense, the protection of health consists of a set of political, economic, legal, social, cultural, scientific, medical, and sanitary-epidemiological measures aimed at strengthening everyone's physical and mental health, ensuring long-term life activity, and providing medical assistance in case of health deterioration (Jafarov, 2004, p. 128).

In the legislation of the Republic of Azerbaijan, the right to health protection is enshrined in Article 41 of the Constitution. According to this article, every citizen has the right to protect their health and receive medical care. The state is responsible for ensuring the implementation of this right through the development of healthcare, improving the quality of medical services, and ensuring equal access to these services for everyone. The "Law on the Protection of Public Health" legally defines citizens' rights and obligations in this field, as well as the state's guarantee mechanisms. In Azerbaijan, both the public and private healthcare sectors operate, and the implementation of the compulsory health insurance system is one of the significant reforms aimed at broadening and ensuring equal access to healthcare services for the population.

Z.N. Aslanov notes that the right to health protection also reflects the right to medical and social insurance (Aslanov, 2019, pp. 71–72). Moreover, Prof. M.N. Aliyev states that compulsory and voluntary health insurance are based on the right of various categories of the population to receive medical assistance in the field of health protection (Aliyev, 2016, p. 16). F.E. Aliyeva considers health insurance as the economic basis of the "right to health protection". The author's view is agreeable because health insurance plays a significant role in realizing the right to health by ensuring people's access to medical services. State-funded health insurance programs make health services accessible to a wide range of the population, which is a vital condition for individuals to exercise their rights. Additionally, health insurance provides social security by helping to protect individuals financially when they face illness or health problems. In this regard, health insurance can be considered as a key economic tool for the protection and development of the right to health. However, it is important to note that while health insurance is a crucial mechanism for ensuring the right to health protection, it is not the only or sufficient tool. Health insurance can ensure certain aspects of the right to health by providing access to medical services, but broader and more diverse economic and social measures are needed for the full realization and protection of this right. First and foremost, the right to health is not limited to the provision of medical services. It also includes areas such as improving people's health conditions, quality of life, social security, and access to education and basic social services. Therefore, health insurance alone is not enough to fully ensure the right to health protection. While health insurance increases access to medical services, strengthening the health system, implementing

social policies, and improving economic conditions are also crucial to ensuring the quality and effectiveness of these services. For example, the state must also take measures to finance medical services and implement education and awareness programs in the health sector. One of the most important mechanisms for realizing the right to health protection in the Republic of Azerbaijan is the compulsory health insurance (CHI) system. The organization and development of this system demonstrate the country's compliance with the principles of sustainability and equitable service in the health sector, both from a constitutional and social-political context.

In the legislation of the Republic of Azerbaijan, the right to health protection is enshrined in Article 41 of the Constitution. According to this article, every citizen has the right to protect their health and receive medical care. The state is responsible for ensuring the implementation of this right by promoting the development of healthcare, improving the quality of medical services, and ensuring equal access to these services for everyone. The "Law on the Protection of the Population's Health" legally defines the rights and duties of citizens in this area, as well as the state's mechanisms for ensuring these rights. Both the public and private healthcare sectors operate in Azerbaijan, and the implementation of the compulsory health insurance system is one of the key reforms aimed at providing broader and more equal access to healthcare services for the population.

Article 41 of the Constitution of Azerbaijan guarantees every citizen the right to health protection and medical care (The Constitution of the Republic of Azerbaijan, 2023). However, for the effective realization of this right in practice, economic and institutional mechanisms are required. The relations concerning compulsory health insurance are regulated by the "Law on Health Insurance" of the Republic of Azerbaijan. Under this legislation, CHI is designed to ensure the population's access to free medical services guaranteed by the state and to ensure the financial sustainability of the medical assistance system. The main role of the CHI system is to help make health services accessible to all segments of the population. According to statistics, before the implementation of CHI, there was a significant gap in access to medical services between urban and rural populations. Due to financial difficulties, citizens' use of hospital services was limited. However, the effectiveness of the system is directly related not only to financial mechanisms but also to the modernization of health infrastructure, training of medical staff, and improving the quality of services. The development of the health protection system in Azerbaijan is considered one of the most critical reforms of recent decades, with the introduction of compulsory health insurance (CHI). The transition from the centralized, fully state-funded system of the Soviet era to a modern model based on the principles of social justice has aimed to improve the quality of life, increase access to medical services, and ensure social security. The full implementation of the compulsory health insurance system in Azerbaijan began in 2020, although its conceptual foundations were laid in earlier periods. The system's primary goal is to provide citizens with free medical care through a financially sustainable mechanism, as well as to reduce the burden on hospitals, improve service quality, and eliminate corruption risks. The role of compulsory health insurance in ensuring the right to health protection is primarily manifested in its ability to ensure accessibility to medical services and is dependent on the overall performance of the healthcare system in the country. According to available statistical data, more than 5.0 million people sought medical services at state health institutions in 2023, with over 22 million visits in total. This indicates that 50% of the country's population benefited from compulsory health insurance during that period. Additionally, in 2023, 5,011,538 citizens, including 1,664,080 children aged 0–17, received medical assistance within the framework of compulsory health insurance. This figure represents a 10% increase compared to 2022. In 2024, 5,236,391 citizens, including 1,723,343 children aged 0–17, benefited from healthcare services under compulsory health insurance, showing a 5% increase compared to 2023. In 2024, a total of 2,019,389.65 manats were allocated for the financing of compulsory health insurance funds. Of this amount, 1,253,267.58 manats were provided as compulsory health insurance payments and subsidies to healthcare institutions under the Ministry of Health (TABİB). Additionally,

393,000.00 manats were spent on insurance payments for medical services provided by institutions not under the Ministry of Health. Furthermore, an additional 220,303.79 manats were spent to cover expenses such as pharmaceutical supplies, materials, infrastructure, and staff training in the TABİB system. According to monitoring results, as of 2024, the population covered by compulsory health insurance in the administrative regions reached 10,180,800, an increase compared to the 10,127,145 population in 2023. A positive trend was also observed in the number of medical staff, with the number of doctors rising to 16,923 (up from 16,723 in 2023), and the total number of healthcare workers increasing to 38,470 (up from 36,728 in 2023). Indicators of the volume of services also show a growing trend. The number of doctor visits, including preventive visits, reached 24,063,849 (compared to 21,462,265 in 2023). The number of admissions for inpatient treatment rose to 485,315 (compared to 454,868 in 2023), and the number of patients discharged to home treatment increased to 469,998 (compared to 444,660 in 2023). The volume of service in terms of patient bed days reached 2,194,084 days (compared to 2,122,519 days in 2023), although the average length of stay for individual patients slightly decreased from 4.7 to 4.8 days. The number of surgical interventions rose to 218,819 (compared to 191,569 in 2023), and the available bed capacity reached 18,810 (compared to 18,651 in 2023). As a result, the bed occupancy rate increased to 32% (compared to 31% in 2023). According to data from the State Statistical Committee, the leading causes of death in the country include cancers, diseases of the circulatory system, and diseases of the respiratory system, which require regular examination and treatment. In this regard, compulsory health insurance plays a crucial role in ensuring regular medical examinations and treatment for chronic diseases (e.g., high blood pressure, diabetes, and cancer). Early diagnosis of such diseases significantly contributes to achieving positive outcomes. Compulsory health insurance helps ensure the right to health protection for individuals, particularly those with lower incomes who face difficulties accessing healthcare. However, despite the achievements in the healthcare sector, rural populations' use of preventive examinations remains limited due to factors such as the scarcity of medical visits to villages, limited laboratory facilities, and other challenges. Additionally, it is difficult to generalize these positive trends across all regions (especially rural areas). For instance, when comparing the healthcare situation in the Qazakh-Tovuz economic region from 2015 to 2023, significant reductions have been observed in the number of medical personnel, hospital beds, and outpatient clinic capacity. This has raised concerns about the accessibility and quality of healthcare services in the region. In response, compulsory health insurance can address these negative trends in the following ways: enhancing financial incentives, allocating insurance fund revenues to regions with fewer medical staff and hospital beds, improving service volume-based payments, raising the professionalism of healthcare workers, and extending outpatient services and preventive examinations. Moreover, telemedicine services and mobile medical teams can be funded through insurance to compensate for the shortage of doctors in remote areas. A comparative analysis conducted among CIS countries between 2022 and 2024 shows that Azerbaijan ranks at an average level in terms of healthcare human resources. For example, the number of doctors per 10,000 people in Azerbaijan was 32 in 2022 and 2023, and 33 in 2024, which is significantly lower compared to countries like Russia (51) and Belarus (52–53). In terms of the number of medical staff, Azerbaijan also lags behind Belarus, Russia, and Moldova but performs better than Tajikistan, Turkmenistan. This statistical picture reflects the shortage of human resources in the Azerbaijani healthcare system and its impact on the population's health. In this context, compulsory health insurance (CHI) plays a crucial role and holds great potential. Through CHI, universal access to healthcare services is ensured, which, by increasing demand, creates a need for more doctors and medical staff. The system improves the working conditions and salaries of doctors and medical personnel, increases interest in the profession, and prevents brain drain. In organizing equitable medical services in regions, the financial flows of CHI help in the balanced distribution of resources. The implementation of a performance-based financing model under CHI not only improves the quality of services but also

positively affects the number and efficiency of healthcare workers. Thus, compulsory health insurance is not only a means of financing medical services but also a comprehensive legal and economic tool aimed at enhancing the provision of human resources in the healthcare system and promoting structural reforms. The continued implementation of this system in the Republic of Azerbaijan creates conditions for forming a healthcare model competitive on the international stage and has the potential to bring the country's current indicators closer to leading positions within the CIS region. In conclusion, it can be stated that the institutional strengthening of the compulsory health insurance system should be regarded as a strategic measure not only for financing medical care but also for solving the structural problems of the healthcare system. To reduce the resource deficits and bring the density of medical personnel up to the standards of CIS countries, there is a need for continuous investment in the improvement of this system. The main challenges in the implementation of CHI include the lack of financial resources, the complexity of management mechanisms, and the low level of public awareness. Sociological surveys show that the majority of the population does not fully understand the terms of insurance, payments, and coverage. Scientific research shows that compulsory health insurance systems are correlated with improvements in the health indicators of countries. While it may take time to evaluate the impact of CHI in Azerbaijan, initial data reflect positive trends, such as a reduction in infant mortality rates and an increase in preventive services. However, the key condition for the system's long-term success is its dynamic improvement and support through political will. Ultimately, compulsory health insurance in the Republic of Azerbaijan serves as both a legal and socio-economic tool in ensuring the right to health. The success of the system depends on the effective application of the principles outlined in legislation, as well as the enhancement of citizens' legal awareness. For CHI to evolve into a more inclusive and equitable healthcare system, continuous investment, adaptation of international experiences, and strengthening of public oversight mechanisms are essential.

Conclusion. The concept of health in modern legal doctrine is not only considered as the absence of diseases and physical disabilities but also as the provision of physical, mental, and social well-being. In legal literature, although there is often a conflation of the terms "right to health" and "right to health protection," there are subtle yet important distinctions between these concepts. The right to health should be recognized as one of the fundamental rights a person possesses from birth, while the right to health protection should be understood within the framework of social rights, as the legal and institutional protection of the existing health and its sustainability. The right to health protection, being a part of human rights of a social nature, constitutes one of the main directions of the state's social policy. The provision of this right is not limited to its recognition through constitutional and normative acts but also requires the effective implementation of practical mechanisms, particularly the compulsory health insurance system. The phased implementation of the compulsory health insurance system in Azerbaijan has served to expand the population's access to medical services and has laid the institutional foundations in this area. However, despite the reforms, issues such as inequality in access to medical services in regions, infrastructure deficiencies, and a shortage of medical personnel continue to hinder the comprehensive provision of this right. The realization of the right to health is closely linked not only to the financing of medical services but also to the implementation of preventive measures, strengthening public awareness, and ensuring equal access to medical services for citizens. This necessitates the state's consistent and purposeful policy in this area. To increase the effectiveness of the compulsory health insurance system in the Republic of Azerbaijan and ensure the right to health protection on an equitable basis, systematic and targeted changes are required in several normative legal acts. These changes are deemed necessary in terms of human rights protection, the principle of social justice, as well as the transparency and sustainability of the healthcare system. To eliminate the observed inequality in access to medical services across regions, it is proposed that a risk-based and needs-oriented financing model be introduced in the legislation. This is important in

fulfilling the constitutional obligation related to the implementation of the "fair distribution of health-care resources" principle. Additionally, specific normative requirements regarding the accreditation of healthcare institutions, certification, and the implementation of clinical protocols should be more clearly reflected in the legislation. This will ensure that the quality of services meets minimum standards. Furthermore, the law should clarify the state's obligations regarding preventive healthcare measures (vaccination, screening programs, promoting a healthy lifestyle, etc.) and establish mechanisms for overseeing the implementation of these measures. Legal foundations for stimulating measures such as tax incentives, social packages, and provision of service housing for the placement of medical personnel in regions should be established by law.

References:

1. Aliyev G. S. (2000). Azerbaijani Legislation on Human Rights. Baku, 197 p.
2. Aliyev M. N. (2016). Theoretical Aspects of Medical Law in the Republic of Azerbaijan. Baku: Vetenoglu, 280 p.
3. Aliyeva F. E. (2015). The Right to Health Protection: International Standards and the Legislation of the Republic of Azerbaijan. PhD in Law dissertation abstract, Baku, 16 p.
4. Asgarov Z. A. (2002). Constitutional Law: Textbook. Baku: Baku University Publishing House, 632 p.
5. Aslanov Z. N. (2019). The Right to Health Protection as One of the Fundamental Constitutional Rights of Individuals. Baku: Science and Education, 182 p.
6. Demographic and Social Statistics Indicators of the State Statistical Committee of the Republic of Azerbaijan [electronic resource]. https://www.stat.gov.az/
7. International Covenant on Economic, Social and Cultural Rights [electronic resource]. https://www.coe.int/az/web/compass/international-covenant-on-economic-social-and-cultural-rights
8. Jafarov I. M. (2004). Commentary on the Constitution of the Republic of Azerbaijan. Baku: Legal Literature, 724 p.
9. Kue Young, T. (2005). Population Health: Concepts and Methods. Oxford University Press, Oxford, 403 p.
10. Law of the Republic of Azerbaijan on Health Insurance https://e-qanun.az/framework/80
11. Law of the Republic of Azerbaijan on the Protection of Public Health. https://e-qanun.az/framework/4078
12. Report on the Activities of the State Agency on Compulsory Health Insurance for 2023 https://its.gov.az/
13. Report on the Activities of the State Agency on Compulsory Health Insurance for 2024 https://its.gov.az/
14. The Constitution of the Republic of Azerbaijan (2023). Baku: Legal Publishing House, 64 p.
15. Universal Declaration of Human Rights. https://www.coe.int/az/web/compass/the-universal-declaration-of-human-rights-full-version-

THE ROLE OF MEDICAL-SCIENTIFIC RESEARCH ETHICAL COMMISSIONS IN THE PROTECTION OF HUMAN RIGHTS IN AZERBAIJAN

Sevda Aydin Karimova,
Postgraduate Student, Law Faculty, Baku State University (Baku, Azerbaijan)
ORCID ID: 0009-0009-3957-4697
sevda.aydin.karimova@gmail.com

Abstract. After gaining independence, the Republic of Azerbaijan has been carrying out a series of reforms to bring the Soviet sosialist economic, political, legal and administrative system in line with advanced world standards, reconstruction and modern scientific bases, creating a legislative framework for all these processes.

The policy of transition from a totalitarian system to a democratic system, creating the foundations of a socially oriented market economy, ensuring social protection and protection of human rights, achieving serious national and spiritual unity had to go through difficult stages and be subjected to pressure from various political forces. In our opinion, the most difficult area in the implementation of social policy, which should provide everyone and everyone, is closely linked with the protection of public health, social protection and the creation of decent living conditions. Today, the world's best practices are being studied, the positive traditions formed over the years are being preserved, new technologies and management models are being tested, improved and applied to the new environment. At present, Azerbaijan is in the process of establishing ethical commissions for medical and scientific research to protect and ensure human rights, especially for patients rights. They need to be developed and a number of measures taken to ensure the sustainability of their work.

The main directions of the initial steps are to develop a strategic plan for the establishment and organization of ethical commissions in the country to ensure sustainable and systematic activities, to conduct a needs analysis with the participation of experts in the field of scientific research, researchers and members of the ethics commission. Providing trainings in accordance with the results of needs analysis, as well as training of trainers, preparation of scientific literature and materials, formation of methodological aids, increase of knowledge and skills of officials working in the field of ethics commissions, establishment of civil society institutions in the field of bioethics, public awareness there is a need to increase.

We hope that the activities and efforts of Azerbaijani health workers and lawyers in the field of bioethics, deontology, medical law and ethics will contribute to serious reforms in medicine and health in the country.

Key words: bioethics, law, human rights, research ethics committee, medical ethics committee, criminal legislation.

Introduction. Following the restoration of its independence, the Republic of Azerbaijan has undertaken consistent reforms aimed at aligning its economic, political, legal, and administrative systems with advanced global standards. These reforms have involved comprehensive restructuring and have been underpinned by modern scientific principles, with a corresponding legislative framework being developed to support these transformative processes.

The transition from a totalitarian regime to a democratic system, the establishment of a socially-oriented market economy, and the implementation of policies aimed at ensuring social protection and the safeguarding of human rights have proven to be complex and challenging. Among the most demanding aspects of social policy – whose overarching goal is to serve every individual and the population as a whole – is the protection of public health, the provision of social security, and the creation of dignified living conditions.

One of the most pressing and difficult issues in this context has been the replacement of the long-standing system of free healthcare services with alternative, high-quality medical services. The governance of the healthcare system, the establishment of private medical institutions, the adequate resourcing of public healthcare facilities, the appropriate remuneration and support for physicians

and medical personnel, and the proper regulation of patient-state relations continue to pose significant challenges in need of resolution.

Azerbaijan is actively studying best practices from leading countries, preserving long-established positive traditions, and experimenting with, refining, and implementing new technologies and management models. One of the emerging fields in this process is the establishment of ethical review committees for biomedical research, particularly aimed at protecting human rights, with a special emphasis on patient rights.

The commonly cited expression – "Today's medical research is tomorrow's quality healthcare" – aptly underscores the critical importance of biomedical research. The findings of such research contribute to the advancement of medicine and the provision of healthcare services better tailored to patients' needs.

Medical research should be designed to benefit individual participants or particular population groups, or to expand existing knowledge in a given field. At the same time, it must ensure that participants or groups involved in research are not exposed to serious risks.

The dual imperative of facilitating the conduct of biomedical research while safeguarding the health and rights of research subjects makes adherence to international norms and standards indispensable. Key instruments in this regard include the Convention on Human Rights and Biomedicine (Oviedo Convention, 4 April 1997) adopted by the Council of Europe, the Declaration of Helsinki (1964) by the World Medical Association, and the International Ethical Guidelines for Health-related Research Involving Humans issued by the Council for International Organizations of Medical Sciences. (CIOM&WHO, 2016)

Discussion. An ethics committee is an institutional body that systematically and continuously monitors and applies the ethical dimensions of medical sciences, life sciences, and emerging health policies. Operating in accordance with both national and international standards, ethics committees ensure compliance with relevant regulatory frameworks, the needs of applicants, and the expectations of society.

The primary objectives of ethics committees include enhancing the credibility of healthcare, increasing public trust in medical institutions and physicians, preventing conflicts of interest in medical practice, ensuring adherence to ethical codes of conduct by healthcare professionals, and expanding public influence in evaluating the activities of medical practitioners. These goals are pursued through regular, interactive discussions. Ethics committees function as forums for dialogue rather than judicial bodies. It must be recognized that the presence of conflict within such committees is not inherently negative; on the contrary, in reaching decisions, these bodies must navigate and reconcile various conflicting principles and perspectives. (CDBI, 2011)

The protection of public health is a fundamental responsibility of both the state and society. In fulfilling this social mission, the physician's professional role and moral stance are of paramount importance.

Ethics committees may issue opinions on whether research is conducted, monitored, or terminated in accordance with ethical principles and rules. These committees represent organizational structures where value-based dilemmas arising in practice are identified, discussed, and addressed. Their core task is to detect ethical dilemmas that lead to conflict and to propose viable resolutions. Consequently, their function is not simply to prevent or control, but rather to offer constructive critique and practical recommendations.

Ethics committees define their general functions based on their specific responsibilities. They are typically categorized into various types, such as hospital ethics committees, research ethics committees, and animal research ethics committees. (Demir, 2011)

There are four principal types of bioethics committees, each devoted to the systematic and ongoing evaluation of the ethical dimensions of medical sciences, life sciences, and new health policies:

1. Policy-making and/or advisory councils: These bodies aim to formulate science and health policy in accordance with the needs of a country's citizens.

2. Ethics committees within professional healthcare associations: These are established to determine appropriate practices for professions that provide care to patients.

3. Ethics committees for healthcare services / Hospital ethics committees: Their goal is to improve the delivery of patient-centered care.

4. Research ethics committees: These aim to protect individuals participating in research that produces generalizable biological, biomedical, or epidemiological knowledge. (UNESCO, 2005)

Depending on the governmental structure, bioethics committees may operate at national, regional, or local levels.

A bioethics committee is fundamentally concerned with the systematic and continuous analysis of the ethical dimensions of (a) health sciences, (b) life sciences, and (c) new health policies. The committee's core function extends beyond the empirical realities it seeks to interpret. This leads us from traditional branches of philosophy – namely, ethics – into the realm of public policy, raising the question: "How should government act?" As such, bioethics committees formulate their inquiries in normative terms.

In other words, these committees serve as forums for the detailed generation and discussion of individual and collective values. This mode of operation requires individuals to critically examine not only their own behavior but also that of others.

Research Ethics Committees are independent decision-making bodies composed of members from various professional backgrounds, established to oversee and ensure the protection of the dignity, fundamental rights, safety, and interests of participants involved in biomedical research on humans.

Although there are some differences in the mandates and operational forms of research ethics committees across countries at the international level, these committees function in accordance with widely accepted ethical principles, rules, and methodologies. (Görkey, 2009).

Research ethics committees are responsible for evaluating the scientific quality of research projects and their compliance with national legislation.

Prestigious academic journals require ethical approval from a recognized ethics committee as a prerequisite for the acceptance of scientific articles submitted for publication.

In addition to protecting participants, these committees ensure that research projects are well-designed and methodologically sound, and that any proposed medical interventions or treatments are properly evaluated. In doing so, they contribute to the improvement of healthcare service quality. Increasingly, they serve as a bridge between public opinion and researchers on the ethical dimensions of biomedical research. (Karimova, 2021)

The Additional Protocol concerning Biomedical Research to the Convention on Human Rights and Biomedicine of the Council of Europe – adopted in Strasbourg on 1 September 2007 – addresses "Ethics Committees" in Chapter III as follows:

Article 9 – Independent review by an ethics committee

1. Every research project must undergo an independent review by an ethics committee in order to be considered ethically acceptable. Such research shall be subject to oversight by the designated bodies responsible for independent review in each State.

2. The primary objective of such review is to assess the ethical acceptability of the research and to ensure the protection of the dignity, rights, and safety of the research participants. This ethical evaluation must be grounded in professional judgment and experience.

3. The ethics committee must provide a reasoned justification for its decisions.

Article 10 – Independence of the ethics committee

1. Parties to this Protocol shall take measures to ensure the independence of ethics committees. These bodies must be protected from undue external influence.

2. Members of the ethics committee must declare any potential conflicts of interest. Those involved in a conflict of interest shall not participate in the review process.

Article 11 – Information for the ethics committee

1. All information necessary for the ethical assessment of a research proposal must be provided in writing to the ethics committee.

2. In particular, the Additional Protocol must contain information relevant to the specific research project and must be consistent with its objectives. This annex may be amended by a two-thirds majority vote of the Committee, in accordance with Article 32 of the Convention.

Article 12 – Protection from undue influence

Ethics committees must be safeguarded not only from undue external interference but also from financial influence in order to protect the interests of research participants. Special attention must be paid to vulnerable groups and dependent individuals involved in research (Oviedo, 1997).

There are numerous international instruments, conventions, and declarations that establish the theoretical and legal foundations of ethics committees and regulate their activities. Among the most prominent of these are the Universal Declaration of Human Rights (United Nations, 1948); the International Code of Medical Ethics (World Medical Association [WMA], 1949); the Declaration of Helsinki – Ethical Principles for Medical Research Involving Human Subjects (WMA, 1964); the Principles of Medical Ethics Relevant to the Protection of Prisoners and Detainees Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (United Nations, 1982); the Declaration on Organ Transplantation (WMA, 1987); the Programme on Bioethics (UNESCO, 1993); the Convention on Human Rights and Biomedicine (Oviedo Convention) (Council of Europe, 1997); the Universal Declaration on the Human Genome and Human Rights (UNESCO, 1997); the ECOSOC Resolution on Human Rights and Bioethics (United Nations, 2003); the International Declaration on Human Genetic Data (UNESCO, 2003); the ECOSOC Resolution on Genetic Confidentiality and Non-Discrimination (United Nations, 2004); the United Nations Declaration on Human Cloning (2005); the Universal Declaration on Bioethics and Human Rights (UNESCO, 2005); and the Good Clinical Practice (GCP) Guidelines.

In accordance with these international standards, various issues have been incorporated into national legislation and medical practice in Azerbaijan. Notable examples include the Law on the Protection of Public Health, the Law on Medicinal Products, the Law on the Donation and Transplantation of Human Organs and Tissues, the Rules on the Conduct of Scientific Research, Preclinical Studies, and Clinical Trials of Medicinal Products as approved by the Cabinet of Ministers of the Republic of Azerbaijan (2018), and the Decision of the Collegium of the Ministry of Health on the Approval of the Guidelines on Good Clinical Practice (dated August 18, 2020), among others. These legal documents reflect the role and importance of ethics committees in medical research and practice.

Nevertheless, there remains a need for the further development of national legislation. In particular, the Republic of Azerbaijan should ratify the Convention on Human Rights and Biomedicine (commonly known as the Oviedo Convention), adopted by the Council of Europe in 1997, which is the only legally binding international instrument in the field of biomedicine. Furthermore, the revised 1975 version of the Declaration of Helsinki (originally adopted in 1964) emphasizes the principle that a research protocol must be submitted for review, evaluation, and interpretation by an independent body prior to the commencement of any study. This requirement has marked a significant step in the development of research ethics committees.

1. In line with international practice, it is considered necessary for the Criminal Code of the Republic of Azerbaijan to define the absence of ethics committee approval in the conduct of scientific research as a criminal offense, similar to Article 90(2)(a) of the Turkish Penal Code, which addresses "experimentation on humans." (Turkish Penal Code. 2004.)

Examples of ethics committees in other countries include:
* United Kingdom – Research Ethics Committee (REC)
* Netherlands – Medical Research Ethics Committee (MREC)
* France – Committee for the Protection of Persons (Comités de Protection des Personnes, CPP)
* United States – Institutional Review Board (IRB)
* Canada – Research Ethics Board (REB)
* Australia – Human Research Ethics Committee (HREC)
* Israel – Institutional Review Boards based on the U.S. IRB system
* Turkey – University Ethics Committees (Üniversite Etik Kurulu)
* Kazakhstan – Local Commission on Bioethics at the Medical Center Hospital of the Presidential Administration
* Uzbekistan – Bioethics Committee of the Uzbekistan Medical Association

In Azerbaijan, the first national ethics committee was established in 1999 as the National Committee for Bioethics, Ethics of Science and Technology by the National Commission of the Republic of Azerbaijan for UNESCO and the Presidium of the National Academy of Sciences. The committee was registered with the Ministry of Foreign Affairs of the Republic of Azerbaijan. In 2010, a UNESCO Chair in Bioethics was established in Azerbaijan.

By the decision of the Scientific Council of the Azerbaijan State Advanced Training Institute for Doctors named after A. Aliyev, dated June 24, 2016, an Ethics Committee was established within the Institute . In addition, ethics committees have also been formed in certain professional associations such as the Azerbaijan Society of Cardiology and in several state scientific-research hospitals, including the Thalassemia Center (National Center for Hematology and Transfusiology). Currently, ethics committees also operate in some private medical institutions.

In 2021, ethics committees were established in scientific-research institutes under the auspices of the Administration of the Regional Medical Divisions (TABIB) to ensure that biomedical research is conducted, monitored, and evaluated in accordance with international standards and ethical principles. The establishment of ethics committees was officially ordered in the following institutions: the Scientific Research Institute of Medical Rehabilitation (28.09.2021), the Scientific Research Institute of Medical Prophylaxis (01.10.2021), the Scientific Research Institute of Pediatrics (05.10.2021), the Scientific Research Institute of Obstetrics and Gynecology (25.10.2021), the Scientific Surgical Institute (01.11.2021), the Scientific Research Institute of Lung Diseases (21.12.2021), and the Scientific Research Institute of Traumatology and Orthopedics (28.12.2021). For each institution, the chair, secretary, and members of the committee were appointed, and the committees began their activities. Although these medical institutions have since been transferred under the jurisdiction of the Ministry of Health of the Republic of Azerbaijan, the ethics committees within them continue to function, at least partially (TABIB, 2021).

Since 2011, the Institute of Law and Human Rights under the Azerbaijan National Academy of Sciences (now functioning under the Center for Legal Expertise and Legislative Initiatives) has conducted research in the field of bioethics, established doctoral programs, and published numerous academic materials. Since 2018, the Faculty of Law at Baku State University (BSU) has been admitting students into a master's degree program in medical law. Courses on bioethics and medical law are taught at both undergraduate and graduate levels within the Faculty of Law at BSU. At the Azerbaijan Medical University, there is a pressing need for the wide inclusion of bioethics and medical law courses alongside the existing instruction in the history of medicine and medical ethics (deontology).

Based on the results of the "Survey on the Perception of the Importance of Ethics Committees among Members of Scientific Research Ethics Committees and Other Professionals in Azerbaijan," developed by the author, the following findings were obtained:

Out of a total of 65 participants, 53 had served as members of ethics committees. Of these, 45 were women and 20 were men. The age distribution of respondents was as follows: 4 participants were aged 18–30, 18 were aged 31–40, 19 were aged 41–50, 13 were aged 51–60, and 11 were over the age of 61. The professional background of participants included: physicians – 46, lawyers – 2, pharmacists – 6, and other professions – 11.

Regarding educational qualifications: 6 held a bachelor's degree, 16 held a specialty degree or master's degree, 36 held a PhD, and 7 reported other forms of education. In terms of work experience: 1 participant had 0–5 years, 8 had 6–10 years, 12 had 11–15 years, 4 had 16–20 years, and 40 had more than 21 years of professional experience. The fields in which the participants were employed included: administrative – 3, scientific research – 40, medical services – 11, and other sectors – 11.

Twenty-five respondents reported having received some form of training in research ethics, while 40 had not received any training in the field. Among those trained, 1 had received training during undergraduate studies, 6 during postgraduate/specialty education, 3 during doctoral studies, and 15 during other stages of their careers.

All 65 respondents unanimously stated that ethics committees are necessary in Azerbaijan.

In response to the question "How do you assess the importance of ethics committees?" participants answered as follows: Very important – 49, Somewhat important – 14, No opinion – 1, Slightly important – 1, Not important – 0.

To the question "Which professionals should be represented in ethics committees?" the responses were as follows: physician – 63, nurse – 6, pharmacist – 53, lawyer – 58, social worker – 28, psychologist/psychiatrist – 40, biomedical engineer/biophysicist – 28, biostatistician – 37, theologian (clergy) – 27, public representative – 28. Other responses included: senior state official, experts depending on the subject area of the committee, family physician, ethics specialist, pediatrician.

When asked "What is the main function of an ethics committee?" the participants responded as follows: distribution of responsibility – 14, protection of human rights (protection of patient/healthy volunteer) – 61, ability to publish in high-impact journals – 18, fulfillment of administrative requirements – 1, development of a research culture in the country – 47, integration of the country into the international research community – 49.

Ensuring the reliability of the country in the field of scientific research was emphasized by 39 participants, facilitating access to international research grants was highlighted by 25 participants, and the effective utilization of the country's material resources allocated to scientific research was noted by 31 participants.

Responses to the section on suggestions for improving the functioning of ethics committees were as follows:
• Development of relevant legislation (i.e., drafting national legislation and ratifying existing international instruments) – 48 responses
• Inclusion of ethics in higher education curricula – 30 responses
• Provision of training for professionals working in the field – 31 responses
• Recognition of ethics committee membership as part of academic activity and its evaluation accordingly – 33 responses
• Support from non-governmental organizations (NGOs) in the field of ethics/bioethics – 22 responses
• Organization of academic exchange programs with foreign countries – 35 responses
• Translation of international regulatory documents in the field of ethics/bioethics into the Azerbaijani language – 41 responses
• Preparation of a glossary of terms in ethics/bioethics in the Azerbaijani language – 38 responses
Additionally, in the "Other Suggestions" section, participants made the following recommendations:
• Establishment of a state-registered ethics committee with an active and functioning structure

• Allocation of remuneration for ethics committee members

• Implementation of public and academic awareness-raising campaigns (e.g., through the use of short informational videos)

• Strengthening cooperation between the government and NGOs

• Regular briefings and informational updates for committee members

• Clarification of the functions and powers of ethics committees in relation to Problem Commissions and Scientific Councils.

Recommendations:

• A separate normative legal instrument regulating the activities of ethics committees should be adopted within national legislation, and existing international instruments should be ratified accordingly.

• A comprehensive needs assessment should be conducted with the participation of professionals working in the field of scientific research, including researchers and members of ethics committees. Based on the results of this assessment, certification training programs should be organized for both researchers and ethics committee members. Additionally, organizing "training of trainers" programs may prove beneficial, facilitating the country's future capacity to independently deliver training in this field.

• To support ethics committee members, researchers, and the scientific community, relevant international normative documents and academic literature should be translated into Azerbaijani. Furthermore, Azerbaijani-language methodological manuals and educational materials should be developed. Support should be provided for the preparation of such scientific and methodological resources.

• The establishment of civil society institutions operating in the field of bioethics and medical ethics should be encouraged. Specifically, it has been proposed that a Bioethics Association be established in Azerbaijan and that relevant non-governmental organizations (NGOs) be formed in this area. It is essential to involve respected public figures in these civil society organizations in order to promote ethically sound research practices and to protect fundamental medical rights, particularly the rights to life and health. Overall, various public awareness initiatives should be implemented to foster a culture of bioethics in the country.

• Courses on bioethics and medical ethics should be incorporated into relevant higher education curricula and syllabi.

• The Criminal Code of the Republic of Azerbaijan should recognize the conduct of scientific research without obtaining the opinion of an ethics committee as a criminal offense.(Azerbaijan Criminal Code. 1999)

Conclusion. The establishment and current functioning of ethics committees represent an important step in Azerbaijan for the analysis, oversight, and application of the ethical aspects of research involving human subjects, despite all justified criticisms. Significant progress and achievements have been made by both ethics committee members and researchers in this process.

It is a fact that with the adoption of new legal regulations addressing the impact of scientific and technological advancements on human life, the country has entered – and continues to enter – a new phase. However, with the exception of a few limited measures, it cannot be claimed that ethics committees have been fully implemented nationwide. Moreover, there remains no national ethics committee in Azerbaijan that actively addresses fundamental issues of ethics, bioethics, and medical ethics or proposes solutions to these challenges. For reference, it is noteworthy that among European Union member states, there is no country without a national ethics committee.

As key directions following these initial steps, there is a pressing need to develop a strategic plan for the establishment and systematic operation of ethics committees to ensure continuous and organized activities in the country. This should include conducting a needs assessment with the par-

ticipation of specialists working in scientific research, researchers, and ethics committee members; delivering training based on the outcomes of this needs analysis to researchers and ethics committee members; organizing "training of trainers" programs; preparing scientific literature and methodological materials; enhancing the knowledge and skills of authorized personnel responsible for the organization of ethics committee work; supporting the establishment of civil society institutions active in the field of bioethics; and increasing public awareness on these issues.

We are hopeful that the collaborative efforts of medical professionals and legal experts in Azerbaijan in the fields of bioethics, deontology, medical law, and ethics committee work will make a significant contribution to the ongoing comprehensive reforms in the country's medical and healthcare sectors.

References:
1. Council for International Organizations of Medical Sciences (CIOMS), & World Health Organization (WHO). (2016). International Ethical Guidelines for Health-related Research Involving Humans. https://cioms.ch/publications/product/ international-ethical-guidelines-for-health-related-research-involving-humans/
2. Report for 2021 of the Department of Work with Ethical Commissions of the Department of Scientific Research and Education of the public legal entity Administration of the Regional Medical Divisions (TABIB). (in Azerbaijani)
3. Guidelines on Good Clinical Practice, approved by the decision No. 36 of the Collegium of the Ministry of Health of the Republic of Azerbaijan dated August 18, 2020. 01.09.2020. https://e-qanun.az/framework/45909 (in Azerbaijani)
4. World Medical Association. Declaration of Helsinki – Ethical Principles for Medical Research Involving Human Participations (1964). https://www.wma.net/policies-post/wma-declaration-of-helsinki/
5. Council of Europe. Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine: Convention on Human Rights and Biomedicine (1997). Oviedo. https://rm.coe.int/168007cf98
6. Criminal Code of the Republic of Azerbaijan. (30.12.1999) Chapter "Crimes against life and health" of the section "Crimes against personality" https://e-qanun.az/framework/46947 (in Azerbaijani)
7. Law of the Republic of Azerbaijan "On Protection of Population Health". (26.06.1997). https://e-qanun.az/framework/4078 (in Azerbaijani)
8. Law of the Republic of Azerbaijan "On Medicinal Products" (22.12.2006). https://e-qanun.az/framework/12128 (in Azerbaijani)
9. Law of the Republic of Azerbaijan "On Donation and Transplantation of Human Organs and Tissues" (20.10.2020). https://e-qanun.az/framework/46447 (in Azerbaijani)
10. Rules for conducting scientific research, pre-clinical studies and clinical trials of medicinal products approved by the Resolution No. 83 of the Cabinet of Ministers of the Republic of Azerbaijan dated April 30, 2010 (in Azerbaijani)
11. Decision of the College of the Ministry of Health of the Republic of Azerbaijan on the approval of the "Guidelines on Good Clinical Practice" (18.08.2020). https://frameworks.e-qanun.az/45/ha_45909.html (in Azerbaijani)
12. Establishing Bioethics Committees – Guide No1. UNESCO. Paris, France. (2005). https://unesdoc.unesco.org/ark:/48223/pf0000139309
13. Establishing Bioethics Committees – Guide No2. UNESCO. Paris, France. 2006.
14. Establishing Bioethics Committees – Guide No3. UNESCO. Paris, France. 2007.
15. Guide for Research Ethics Committee Members. Steering Committee on Bioethics (CDBI) Council of Europe. CDBI/INF(2011)2, Strasbourg, France. 7th February 2011.https://www.coe.int/en/web/human-rights-and-biomedicine/guide-for-research-ethics-committees-members
16. Karimova S.A. (2021). The role of Hacettepe University Bioethics Research Center in the establishment of ethics committees in Azerbaijan. Ankara. 4(2):179-183 http://www.deontoloji.hacettepe.edu.tr/unescobiyoetik/pdf/2021%204%202/azerbaycan.pdf (in Turkish)

17. Görkey SH. (2009). Ethics committees: a conceptual confusion we are trying to overcome. Hacettepe Medical Journal. Ankara. № 40. p: 78–83. (in Turkish)
18. Research ethics committees: Basic concepts for capacity-building. World Health Organization 2009. WHO Document Production Services, Geneva, Switzerland.
19. Structure of the International Bioethics, Ethics of Scientific Knowledge and Technology Committee of UNESCO in Azerbaijan changed. 2016. https://science.gov.az/en/news/open/3912
20. Turkish Penal Code. 26.09.2004. https://www.mevzuat.gov.tr/MevzuatMetin/1.5.5237.pdf
21. Demir M. (2011). A Study on the Awareness of Clinical Ethical Problems among Hacettepe University Hospitals Physicians. Hospital Ethics Committee Model Proposal. Ankara. (in Turkish)
22. Regulations of the Ethics Committee of the Azerbaijan State Institute of Advanced Training of Doctors named after A. Aliyev. http://www.adhti.edu.az/az.php?go=ek (in Azerbaijani)
23. Council of Europe. Additional Protocol to the Convention on Human Rights and Biomedicine, concerning Biomedical Research. Strasbourg. 25.01.2005. https://rm.coe.int/168008371a

SIMPLIFIED TAXATION SYSTEM: A RETROSPECTIVE OF CAUSAL RELATIONS OF THREATS TO UKRAINE'S TAX SECURITY

Pavlo Kolomiiets,
Doctor of Law, Associate Professor,
Associate Professor at the Department of Entrepreneurship and Law,
Poltava State Agrarian University (Poltava, Ukraine)
ORCID ID: 0000-0002-3155-0393
hotrodder911@gmail.com

Abstract. The Constitution of Ukraine regulates only one, single taxation system. The Constitution of Ukraine does not mention the plurality of taxation systems. However, by the Decree of the President of Ukraine dated 03.07.1998 No. 727/98, another taxation system was introduced – a simplified one, which was intended to facilitate business, in particular for small and medium-sized businesses. At the same time, in modern conditions, the simplified taxation system raises concerns about its impact on the tax security of the state. Tax security is a component of the country's economic security and provides for timely, full and stable receipt of tax payments to budgets of all levels. However, there is an opinion that the current mechanisms for the functioning of the simplified taxation system create certain gaps in the taxation system, which may contribute to tax evasion, reduce fiscal efficiency and threaten the stability of the budget system. In this regard, the need for a systematic review of the principles of the functioning of the simplified taxation system is becoming more urgent in order to ensure its compliance with the principles of tax security, which may include reforming or even eliminating this system.

Key words: taxation system, taxes and fees, tax security of the state, economic security of the state, national security, budget system of Ukraine, small and medium-sized enterprises.

Introduction. Among the key elements of Ukraine's economic security, tax security occupies an important place, acting as a guarantee of stable functioning of public finances. The main task of tax security is to ensure timely, full and uninterrupted receipt of tax payments to budgets of all levels, which, in turn, allows for the implementation of social, economic and defense programs. The level of tax revenues is largely influenced by the peculiarities of the functioning of the simplified taxation system. This system, which since its introduction has been aimed at supporting small and medium-sized businesses, is often used in practice as a legal tool for minimizing tax liabilities or even tax evasion. This situation creates serious challenges for the state's tax security, because the lack of funds in the budget undermines the country's financial stability. Therefore, an analysis of the impact of the simplified taxation system on tax security is extremely relevant in modern conditions.

The history of the formation and development of legislation in the field of legal regulation of the simplified taxation system in Ukraine today is a relevant aspect of the study of existing, in particular previously listed, problems of tax legislation in the context of tax security of Ukraine. The evolution of the legal support of the simplified taxation system in independent Ukraine was studied in their works by: Anistratenko Yu. (Anistratenko, 2013); Calinescu T. (Calinescu, 2020); Ponomareva T. & Hrynevich K. (Ponomareva & Hrynevich, 2020); Riadinska V., Protsenko T. & Kuznietsova O. (Riadinska, Protsenko & Kuznietsova, 2021); Synchak V. (Synchak, 2020); Zakrevska O. (Zakrevska, 2022).

The objective of this article will be to study the cause-and-effect relationships of the emergence and formation of a simplified system of taxation, accounting and reporting in Ukraine. This will be done with the aim of more in-depth clarification of the inconsistency of the grounds for introducing a simplified system of taxation, accounting and reporting into the taxation system under the Constitution

of Ukraine (Konstytutsiia Ukrainy, 1996) and the Law of Ukraine «On the Taxation System» (Pro systemu opodatkuvannia, 1991) in force at that time.

Main part. Let us begin our study with the following: The Commission of the European Communities issued Recommendation 96/280/EC on 3 April 1996 on four criteria for defining small and medium-sized enterprises: 1) number of persons employed, 2) turnover, 3) balance sheet total and 4) independence. The Commission also recommended that the provisions on programmes aimed at «small and medium-sized enterprises», «medium-sized enterprises», «small enterprises» or «micro-enterprises» be observed. At the same time, the Commission proposed thresholds of 50 and 250 employees respectively for small and medium-sized enterprises. For micro-enterprises – less than 10 employees (96/280/EC, 1996).

The right of everyone to engage in entrepreneurial activity that is not prohibited by law was legally enshrined in Ukraine on June 28, 1996 in the norms of Article 42 of the Constitution. Since then, in accordance with this article, the state ensures the protection of competition in entrepreneurial activity. It was also regulated that abuse of monopoly position in the market, unlawful restriction of competition and unfair competition are not allowed (Konstytutsiia Ukrainy, 1996). That is, we consider this legal fact to be the beginning of the formation of legal regulation of social relations in the sphere of small and medium-sized businesses in Ukraine.

In order to form and implement state policy on the development and support of small business, and to effectively use its opportunities in the development of the national economy, by Decree of the President of Ukraine dated May 12, 1998 No. 456/98, it was decided to consider the support of small business as one of the most important tasks of state policy, which had to be implemented, in particular in such a direction as the introduction of a simplified system of taxation, accounting and reporting. The simplified system of taxation, accounting and reporting provided for: replacing the payment of taxes and mandatory payments established by law with the payment of a single tax; payment by individual entrepreneurs instead of taxes and mandatory payments of the cost of a patent for engaging in a certain type of activity; application of a simplified form of maintaining accounting and reporting documents. The simplified system of taxation, accounting and reporting could be applied alongside the existing system of taxation, accounting and reporting provided for by the legislation, at the choice of the small business entity (Pro derzhavnu pidtrymku maloho pidpryiemnytstva, 1998). Implementing this Presidential Decree (Pro derzhavnu pidtrymku maloho pidpryiemnytstva, 1998), from January 1, 1999, another Presidential Decree (Pro sproshchenu systemu opodatkuvannia, obliku ta zvitnosti subiektiv maloho pidpryiemnytstva, 1998) introduced a simplified system of taxation, accounting and reporting for small business entities in Ukraine and established a new tax – a single tax. This Decree was terminated in accordance with the Law of Ukraine dated 04.11.2011 No. 4014-VI (Pro vnesennia zmin do Podatkovoho kodeksu Ukrainy ta deiakykh inshykh zakonodavchykh aktiv Ukrainy shchodo sproshchenoi systemy opodatkuvannia, obliku ta zvitnosti, 2011), which included Chapter 1 «Chapter 1. Simplified System of Taxation, Accounting and Reporting» in Section XIV of the Tax Code of Ukraine (Podatkovyi kodeks Ukrainy, 2010). This chapter established the legal principles for the application of the simplified system of taxation, accounting and reporting, as well as the collection of a single tax. As stated in this chapter, the simplified system of taxation, accounting and reporting is a special mechanism for the collection of taxes and fees, which establishes the replacement of the payment of individual taxes and fees with the payment of a single tax in the manner and on the terms specified in this chapter, with simultaneous maintenance of simplified accounting and reporting.

The simplified system of taxation, accounting and reporting has become firmly established in Ukrainian legislation, as evidenced, in particular, by the provisions of the Law of Ukraine No. 4618-VI of March 22, 2012 (Pro rozvytok ta derzhavnu pidtrymku maloho i serednoho pidpryiemnytstva v Ukraini, 2012), which defines the legal and economic principles of state policy in the field of support and development of small and medium-sized enterprises.

We should not ignore the following fact: by issuing Decree No. 727 of July 3, 1998, the President of Ukraine submitted to the Verkhovna Rada of Ukraine a draft Law «On a Simplified System of Taxation, Accounting and Reporting for Small Business Entities». The Verkhovna Rada of Ukraine did not reject the said draft law and did not adopt a law on this issue, but began the legislative process of considering the draft Law «On a Simplified System of Taxation, Accounting and Reporting for Small Business Entities». Since the Verkhovna Rada of Ukraine did not exercise its legislative powers in the manner provided for by Part Two, Clause 4, Section XV «Transitional Provisions» of the Constitution of Ukraine, Decree of the President of Ukraine of July 3, 1998 No. 727 entered into force and was in force as amended by Decree of the President of Ukraine of June 28, 1999 No. 746 (Ukhvala Konstytutsiinoho Sudu Ukrainy pro vidmovu u vidkrytti konstytutsiinoho provadzhennia u spravi za konstytutsiinym podanniam 50 narodnykh deputativ Ukrainy shchodo vidpovidnosti Konstytutsii Ukrainy (konstytutsiinosti) Ukazu Prezydenta Ukrainy «Pro sproshchenu systemu opodatkuvannia, obliku ta zvitnosti subiektiv maloho pidpryiemnytstva», 2004).

The European Charter for Small Enterprises, signed by the Member States of the European Union on 19.06.2000, stipulates that tax systems should be adapted so that they are conducive to success, promote the start-up of new businesses, the expansion of small business activity and the creation of jobs, and facilitate the creation and continuation of small businesses. Member States should apply the most effective methods of work in the field of taxation and personal motivation. Entrepreneurs need funds to turn their ambitious plans into reality. In order to improve access to financial services for small enterprises, it was planned to:

– identify and eliminate obstacles to the creation of a pan-European capital market and to the implementation of the Financial Services Action Plan and the Action Plan on the Prevention of Investment Risks;

– improve relations between the banking system and small enterprises by creating appropriate conditions for access to credit and venture capital;

– improve access to structural funds and support the initiatives of the European Investment Bank to increase financing for new and high-tech enterprises, in particular fund instruments (European charter for small enterprises, 2000).

Following up on the idea laid down in the European Charter for Small Enterprises, dated 2000, the Council of the EU, in its Council Recommendation 2002/549/EC of 21 June 2002 on the broad guidelines of the economic policies of the Member States and of the Community, also stresses the importance of encouraging entrepreneurship (Council Recommendation of 21 June 2002 on the broad guidelines of the economic policies of the Member States and the Community (2002/549/EC), 2002). An improved and more productive business environment is essential to improve productivity and increase the potential growth rate of the European economy. The creation of a competitive business environment, supported by adequate public infrastructure and modern and efficient public administration, is a key factor in stimulating business creation and expansion. This has been recognised by all Member States, as demonstrated by the various measures taken to reduce the regulatory burden on business, to stimulate business creation, and to facilitate access to finance for small and medium-sized enterprises.

The European Charter for Small Enterprises, endorsed by the Feira European Council in June 2000, was also intended to help support small businesses. At the same time, differences in the business environment in the Member States, in particular in the area of taxation, remain an important factor. This provides ample scope for learning from best practices. Member States should:

(i) create a business-friendly environment:

– improve and simplify the corporate tax system and the regulatory environment. Reduce barriers to doing business to an absolute minimum, including by reducing the average time and cost of setting up a new company and reducing the administrative burden;

– increase the efficiency of public services, inter alia, by increasing the use of open tendering and benchmarking, increasing private sector participation and competition between public service operators, while ensuring competition between service providers on a level playing field, and by ensuring online access to government services, and

– reduce obstacles to cross-border economic activity linked to, inter alia, different accounting standards, corporate governance rules, business taxation and value added tax in the Member States;

(ii) implement the commitments made under the European Charter for Small Enterprises;

(iii) encourage risk-taking by improving access to finance, especially for SMEs in their early stages. The provision of capital combined with management skills is particularly important for SMEs.

The Commission of the European Communities, on 6 May 2003, in its subsequent Recommendation 2003/361/EC, indicated that the definition of small and medium-sized enterprises it had provided in Recommendation 96/280/EC of 3 April 1996 was based on the idea that the existence of different definitions at Community and national level could create inconsistencies. Following the logic of a single market without internal frontiers, the treatment of enterprises should be based on a set of common rules. The pursuit of such an approach was all the more necessary in view of the extensive interaction between national and Community measures in favour of micro, small and medium-sized enterprises. This Recommendation, 2003/361/EC, replaced Recommendation 96/280/EC with effect from 1 January 2005. Article 2 of Annex 1 to Recommendation 2003/361/EC sets out the staffing and financial limits defining the categories of enterprises: 1. The category of micro, small and medium-sized enterprises (abbreviated as «SME») consists of enterprises which employ fewer than 250 persons and whose annual turnover does not exceed EUR 50 million and/or whose annual balance sheet total does not exceed EUR 43 million. 2. Within the category of small and medium-sized enterprises, a small enterprise is defined as an enterprise which employs fewer than 50 persons and whose annual turnover and/or annual balance sheet total does not exceed EUR 10 million. 3. Within the category of small and medium-sized enterprises, a micro-enterprise is defined as an enterprise which employs fewer than 10 persons and whose annual turnover and/or annual balance sheet total does not exceed EUR 2 million (Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises, 2003).

Article 282 of the Association Agreement between Ukraine, on the one hand, and the European Union, the European Atomic Energy Community and their Member States, on the other hand, stipulated that, mindful of the impact that the legislative framework of each of them may have on trade between them, the Parties shall create and maintain an effective and predictable regulatory environment for economic operators doing business in their territory, in particular for small ones, while taking due account of the requirements of legal certainty and proportionality (Association agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part, 2014).

Article 378 of this Agreement also stated that the Parties shall develop and strengthen cooperation on industrial and entrepreneurship policy and thus improve the business environment for all economic operators, with particular attention to small and medium-sized enterprises (SMEs). Enhanced cooperation shall improve the administrative structure and regulatory framework for Ukrainian and European economic operators in Ukraine and the EU and shall be based on the EU policy on the development of small and medium-sized enterprises and industry, taking into account internationally recognised principles and practices in these areas.

To this end, as set out in Article 379 of the Agreement, the Parties shall cooperate to:

a) implement strategies for the development of small and medium-sized enterprises, based on the principles of the European Charter for Small Enterprises, and monitor the implementation process through annual reporting and dialogue. Such cooperation shall also pay particular attention to

micro-enterprises and craft-type enterprises, which are a crucial element of the economies of Ukraine and the EU;

c) simplify and streamline regulatory and legal acts and practices, with particular emphasis on the exchange of best practices on regulatory methods, in particular EU principles (Association agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part, 2014).

In order to introduce an effective mechanism for controlling the circulation of goods and the volume of income of subjects of the simplified taxation system and to remove from the shadows a number of large and medium-sized trading companies that abuse the simplified taxation system, thereby discrediting both the simplified taxation system itself and honest taxpayers who are its subjects, on September 20, 2019, the Verkhovna Rada of Ukraine amended the Tax Code of Ukraine on de-shadowing of settlements in the sphere of trade and services (Poiasniuvalna zapyska do proektu Zakonu Ukrainy vid 29.08.2019 roku № 1073 «Pro vnesennia zmin do Podatkovoho kodeksu Ukrainy shchodo detinizatsii rozrakhunkiv v sferi torhivli i posluh», 2019). The tools designed to promote the de-shadowing of the economy of Ukraine and increase the level of consumer protection were to be: a) increasing the motivation of buyers (consumers) of goods (services) themselves to receive fiscal reporting checks; b) creating equal competitive conditions for business entities for which the obligation to use a registrar of settlement operations (RSO) is established; c) fiscalization of risky activities of business entities that are on a simplified taxation system (Poiasniuvalna zapyska do proektu Zakonu Ukrainy vid 29.08.2019 roku № 1073 «Pro vnesennia zmin do Podatkovoho kodeksu Ukrainy shchodo detinizatsii rozrakhunkiv v sferi torhivli i posluh», 2019).

The next step in the study is to consider the concept of reforming the taxation system in the context of ensuring tax security in Ukraine, which will allow us to identify areas for improving fiscal policy, taking into account modern challenges and risks.

Studying the retrospective of the cause-and-effect relationships of the emergence, formation and development of the simplified system of taxation, accounting and reporting, let us pay attention to the following aspect. In accordance with paragraph 4 of Section XV «Transitional Provisions» of the Constitution of Ukraine, the President of Ukraine, within three years after the entry into force of the Constitution of Ukraine, had the right to issue decrees on economic issues not regulated by laws. As already noted above, by the Decree of the President of Ukraine dated 03.07.1998 No. 727/98 from January 1, 1999, a simplified system of taxation, accounting and reporting for small business entities was introduced. In our opinion, the introduction of the simplified system of taxation, in accordance with this Decree, did not meet the requirements of Article 92 of the Constitution of Ukraine, because its norms stipulate that the taxation system, taxes and fees are established exclusively by the laws of Ukraine (and not by the Decree of the President). We also emphasize the fact that the Constitution of Ukraine regulates only one, that is, a single taxation system. The Constitution does not mention the plurality of taxation systems, and the aforementioned Decree introduced another taxation system – a simplified one. That is, the introduction of a new tax, namely a single tax, was contrary to the Constitution of Ukraine, since the establishment of a tax is carried out exclusively by law (Kolomiiets, 2023: 78).

In confirmation of the author's position, we note that at the end of 2023, the legislator will partially, but still come to a conclusion about the problems of several simultaneously existing tax systems, namely: «In turn, the gradual implementation of measures to reform the simplified taxation system in the long term will completely eliminate the discrepancies generated by different tax systems, and will also significantly reduce the negative impact of shadow economy factors on transparent business due to the distortion of the competitive environment.» (Natsionalna stratehiia dokhodiv do 2030 roku, 2023: 105). That is, contrary to the constitutional principle of the rule of law, the legislator still allows the continuation of the existence of a second, alternative, different, namely, an updated simplified

taxation system: «The updated simplified taxation system will significantly reduce the size and scope of its application. This will be achieved thanks to a set of legislative changes that will be gradually implemented in the period from 2025 to 2027. However, such changes to the legislation will be implemented no earlier than the year following the year in which the measures specified in subsection 4.2.3(b) «Security of data use and access to information on the volume and turnover of taxpayers' funds in their bank accounts» will be deemed to have been implemented (Natsionalna stratehiia dokhodiv do 2030 roku, 2023: 59-60).

In legal science, there is still an acute need for a deep and comprehensive understanding of the problems associated with the legal regulation of the simplified taxation system. Despite the long-term functioning of the simplified taxation system in the legal field of Ukraine, its regulatory and legal framework remains fragmentary, insufficiently systematized and not always consistent with the principles of tax security. The issue of the relationship between the simplified taxation system and ensuring the tax security of the state requires special attention, which, unfortunately, has not yet become the subject of a full-fledged interdisciplinary analysis within the framework of financial law. The lack of comprehensive research into the legal foundations of the functioning of the simplified taxation system as a socio-legal phenomenon capable of influencing the stability and predictability of tax revenues significantly complicates the development of effective mechanisms of state regulation in this area. This necessitates the formation of a new scientific approach to understanding the role of the simplified taxation system in the tax security system of Ukraine.

Conclusion. Modern relations of tax collection and collection, regulated by the Tax Code of Ukraine, are highly risky, which is due, among other things, to the presence of such a tax risk as a simplified taxation system – a way for taxpayers to evade their constitutional obligation to pay taxes.

The simplified taxation system threatens tax security and complicates the implementation of Ukraine's national interests in the field of taxation, because the simplified taxation system is a factor in underfunding both the state and local budgets. The first and most important goal of state policy in the field of taxation should be the formation, provision and implementation of tax policy in order to ensure tax security as the main component of Ukraine's national security, especially in conditions of war realities.

We have substantiated that the simplified taxation system, by reducing the taxpayer's tax liability, is a loss of revenue for both the state and local budgets. In the conditions of martial law and post-war reconstruction of Ukraine, the simplified taxation system does not and will not contribute to the balance of budgets and the maximization of tax revenues. The application of the simplified taxation system in accordance with the Tax Code of Ukraine is such that it does not comply with the Constitution of Ukraine and the interests of the state's tax security. Today and for the post-war period of reconstruction of Ukraine, we propose to abolish the simplified taxation system as a factor threatening the tax security of Ukraine in the context of losses of budget revenue by excluding from the norms of the Tax Code of Ukraine: 1) «Chapter XIV. Special tax regimes»; 2) Article 11. «Special tax regimes»; 3) subparagraph 10.1.2. «single tax» of Article 10; 4) any other regulations related to the simplified taxation system.

These changes will ensure transparency and a common understanding of tax legislation by all participants in public relations in the field of legal regulation of taxation, which in turn will ensure the necessary level of tax security in Ukraine. This is especially important, since it is through taxes that the state's defense capabilities are financed.

References:
1. Anistratenko, Yu. I. (2013). Simplified system of taxation, accounting and reporting: advantages and disadvantages. *Our Law*. № 12. P. 180–184.
2. Association agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part. *Official Journal of the*

European Union. 29.05.2014. https://publications.europa.eu/resource/cellar/4589a50c-e6e3-11e3-8 cd4-01aa75ed71a1.0006.03/DOC_1.

3. Calinescu, T.V. (2020). Use of the simplified taxation system by agriculture business. *Time description of economic reforms*. № 2. P. 45–51. doi: 10.32620/cher.2020.2.06.

4. Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (Text with EEA relevance) (notified under document number C(2003) 1422). https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A32003H0361.

5. Council Recommendation of 21 June 2002 on the broad guidelines of the economic policies of the Member States and the Community (2002/549/EC). https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32002H0549.

6. European charter for small enterprises. https://europa.rs/upload/documents/key_documents/EU%20 SME%20charter_en.pdf.

7. Kolomiiets P.V. (2023). Kontseptualni aspekty pravovoho zabezpechennia podatkovoi bezpeky Ukrainy [Conceptual aspects of legal support for tax security in Ukraine: monograph.]. State Tax University. Irpin; Poltava: Publishing house of PP «Astraya», 468 p. https://api-ir.dpu.edu.ua/server/api/core/bitstreams/72729703-cf06-4219-934b-17f3f0dea3f2/content. [in Ukrainian]

8. Konstytutsiia Ukrainy: Zakon Ukrainy vid 28.06.1996 № 254k/96-VR [Constitution of Ukraine: Law of Ukraine dated 28.06.1996 No. 254k/96-VR.] *Bulletin of the Verkhovna Rada of Ukraine*. 1996. № 30. https://zakon.rada.gov.ua/laws/show/254к/96-вр/ed19960628#Text. [in Ukrainian]

9. Natsionalna stratehiia dokhodiv do 2030 roku [National Revenue Strategy until 2030]. https://mof.gov.ua/uk/national_income_strategy-716. [in Ukrainian]

10. Pro systemu opodatkuvannia: Zakon Ukrainy. Data nabrannia chynnosti: 25.06.1991 [On Taxation System: Law of Ukraine. Date of Entry into Force: 25.06.1991]. № 1251-XII. https://zakon.rada.gov.ua/laws/show/1251-12/ed19990101#Text. [in Ukrainian]

11. Podatkovyi kodeks Ukrainy: Zakon Ukrainy vid 02.12.2010 № 2755-VI [Tax Code of Ukraine: Law of Ukraine dated 02.12.2010 No. 2755-VI]. *Vidomosti Verkhovnoi Rady Ukrainy*. 2011. № 13-14, № 15-16, № 17. Ст.112. https://zakon.rada.gov.ua/laws/show/2755-17#Text. [in Ukrainian]

12. Poiasniuvalna zapyska do proektu Zakonu Ukrainy vid 29.08.2019 roku № 1073 «Pro vnesennia zmin do Podatkovoho kodeksu Ukrainy shchodo detinizatsii rozrakhunkiv v sferi torhivli i posluh»: Suprovidnyi dokument vid 29.08.2019. [Explanatory note to the draft Law of Ukraine dated August 29, 2019 No. 1073 «On Amendments to the Tax Code of Ukraine Regarding De-Shading of Settlements in the Sphere of Trade and Services»: Accompanying document dated August 29, 2019]. http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_2?pf3516=1073&skl=10. (дата звернення: 22.05.2023). [in Ukrainian]

13. Pro vnesennia zmin do Podatkovoho kodeksu Ukrainy ta deiakykh inshykh zakonodavchykh aktiv Ukrainy shchodo sproshchenoi systemy opodatkuvannia, obliku ta zvitnosti: Zakon Ukrainy vid 04.11.2011 [On Amendments to the Tax Code of Ukraine and Certain Other Legislative Acts of Ukraine Regarding the Simplified System of Taxation, Accounting and Reporting: Law of Ukraine of 04.11.2011]. № 4014-VI. https://zakon.rada.gov.ua/laws/show/4014-17#Text. [in Ukrainian]

14. Pro vnesennia zmin do Podatkovoho kodeksu Ukrainy shchodo detinizatsii rozrakhunkiv u sferi torhivli i posluh: Zakon Ukrainy vid 20.09.2019 [On amendments to the Tax Code of Ukraine regarding the de-shadowing of settlements in the sphere of trade and services: Law of Ukraine dated 20.09.2019]. № 129-IX. *Ofitsiinyi visnyk Ukrainy*. 2019. № 84. Ст. 2831. [in Ukrainian]

15. Pro derzhavnu pidtrymku maloho pidpryiemnytstva: Ukaz Prezydenta Ukrainy vid 12.05.1998 [On state support for small businesses: Decree of the President of Ukraine dated 12.05.1998]. № 456/98. https://zakon.rada.gov.ua/laws/show/456/98#Text. [in Ukrainian]

16. Pro rozvytok ta derzhavnu pidtrymku maloho i serednoho pidpryiemnytstva v Ukraini: Zakon Ukrainy vid 22.03.2012 [On the development and state support of small and medium-sized businesses in Ukraine: Law of Ukraine dated 22.03.2012]. № 4618-VI. https://zakon.rada.gov.ua/laws/show/4618-17#Text. [in Ukrainian]

17. Pro sproshchenu systemu opodatkuvannia, obliku ta zvitnosti subiektiv maloho pidpryiemnytstva: Ukaz Prezydenta Ukrainy vid 03.07.1998 [On a simplified system of taxation, accounting and reporting for small businesses: Decree of the President of Ukraine dated 03.07.1998]. № 727/98. https://zakon.rada.gov.ua/laws/show/727/98/ed19980703#Text. [in Ukrainian]
18. Ponomareva, T., & Hrynevich, K. (2020). Problems and ways to improve the simplified taxation system in Ukraine. *Bulletin of V. N. Karazin Kharkiv National University Economic Series.* (99), 50–56. doi: 10.26565/2311-2379-2020-99-05.
19. Riadinska V, Protsenko T, Kuznietsova O. (2021). Ways of the improvement of the simplified taxation, accounting and reporting system in Ukraine. *Science and law enforcement.* 142–154.
20. Synchak V.P. (2020). Special taxation mechanism in conditions of functioning of the simplified taxation system. *Accounting and Finance.* № 2 (88). 103–113.
21. Ukhvala Konstytutsiinoho Sudu Ukrainy pro vidmovu u vidkrytti konstytutsiinoho provadzhennia u spravi za konstytutsiinym podanniam 50 narodnykh deputativ Ukrainy shchodo vidpovidnosti Konstytutsii Ukrainy (konstytutsiinosti) Ukazu Prezydenta Ukrainy «Pro sproshchenu systemu opodatkuvannia, obliku ta zvitnosti subiektiv maloho pidpryiemnytstva»: Ukhvala Konstytutsiinoho sudu Ukrainy vid 16.01.2004 № 6-u/2004 [Resolution of the Constitutional Court of Ukraine on the refusal to initiate constitutional proceedings in the case based on the constitutional submission of 50 people's deputies of Ukraine regarding the compliance with the Constitution of Ukraine (constitutionality) of the Decree of the President of Ukraine «On a simplified system of taxation, accounting and reporting of small business entities»: Resolution of the Constitutional Court of Ukraine dated 16.01.2004 No. 6-y/2004]. https://zakon.rada.gov.ua/laws/show/v006u710-04#Text. [in Ukrainian]
22. Zakrevska, O (2022). Display of the simplified taxation system in the bas software product. *International scientific journal «Internauka». Series: «Economic sciences».* № 7 (63). 147–151.
23. 96/280/EC: Commission Recommendation of 3 April 1996 concerning the definition of small and medium-sized enterprises. https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:31996H0280.

DETERMINATION OF THE HABITUAL RESIDENCE OF A CHILD IN CROSS-BORDER CASES ON PARENTAL RESPONSIBILITY AND CHILD PROTECTION MEASURES

Olena Sushch,

Candidate of Science of Law (Ph.D. in Law), Associate Professor,
Researcher at the Faculty of Law, University of Helsinki (Helsinki, Finland)
ORCID ID: 0000-0002-8619-8964
olena.sushch@helsinki.fi

Abstract. The article examines the concept "habitual residence of a child" in cross-border cases regarding parental responsibility and child protection measures and its significance for Private International Law. The author highlights the problematic aspects of determining the "habitual residence of a child" of children displaced as a result of the war in Ukraine. The current state of legal regulation of the concept of habitual residence of a child following the legislation of Ukraine and international acts, specifically, the HCCH 1980 Child Abduction Convention and the HCCH 1996 Child Protection Convention, has been analyzed. The legal position of the Supreme Court (Ukraine) on the procedure for determining the habitual residence of a child is considered.

Key words: private international law, private relations, habitual residence of a child, best interests of the child, child abduction, HCCH 1980 Child Abduction Convention, HCCH 1996 Child Protection Convention.

Introduction. The international protection of children's rights is topical in today's world, where modern issues are rising in a cross-border dimension, notably international mobility, migration and cross-cultural marriages. Individuals, especially children, require international protection through modern socio-legal remedies. Private International Law, whose primary scope is to protect individuals, especially children, must provide modern responses in the fullest respect of the legal order (Bumbaca, 2018).

Hostilities in Ukraine have activated a mass migration of Ukrainian citizens abroad, mostly to EU countries in search of asylum (UNHCR, 2025). As a result of such migration processes, the number of family disputes of a cross-border nature involving children, regarding parental responsibility and child protection measures.

One of the topical issues in resolving such categories of disputes is the determination of the "habitual residence of a child", which is a fundamental criterion in cases of child protection in Private International Law.

The concept of "habitual residence" is quite controversial, flexible and complex in legal practice, since the procedure for its definition does not have templates and sufficient regulation. The child's habitual residence is determined in each individual case involving the child, considering the child's individual interests, needs and life circumstances, which ensures compliance with the principle of ensuring the best interests of the child (Sushch, 2025, p. 93–97).

Today, hundreds of thousands of children citizens of Ukraine are forced to stay abroad due to the existence of a real threat to their lives and health in Ukraine. The stay in the country that provided temporary protection was delayed indefinitely, due to which there are difficulties in determining the child's habitual place of residence, which is of key importance in determining jurisdiction in cases of protection of children's rights.

Ukrainian families in foreign countries faced such problems as: removal of children by foreign social services from families as a measure of parental responsibility; recognition of children as unaccompanied children and application of protection measures to them on the territory of a foreign state by foreign social services; taking a child abroad by one of the parents without the consent of the other

(child abduction); disputes between parents regarding the child's place of residence and custody (Sushch, 2024). These issues have become a challenge for the Private International Law of Ukraine in modern conditions, since jurisdiction in such categories of cases should be determined in compliance with the principle of ensuring the best interests of the child, following the legislation of the child's habitual residence.

In view of the above, in this article the author has identified the following tasks:

to characterize the concept of the habitual residence of a child in accordance with international acts and legislation of Ukraine;

to identify the problems of determining the "habitual residence of a child" of children displaced as a result of the war in Ukraine;

to illustrate the legal positions of the Supreme Court (in Ukraine) regarding the determination of the habitual residence of a child.

Thus, the above characterizes the relevance of the topic in today's conditions and the need to study the concept of "habitual residence of a child".

Analysis of recent research and publications. Studies of legal problems of determining the habitual place of residence aroused considerable interest in Ukrainian and foreign academic areas. Among Ukrainian scientists, this issue was studied in various aspects. Thus, O. Melnyk studied the issue of determining the child's place of residence after the parents' divorce during martial law (Melnyk, 2023). I. Kyrylchuk analyzed the principle of the best consideration of the interests of the child when determining the place of his/her residence in court (Kyrylchuk, 2023). N. Dobrianska focused on the establishment of the child's place of residence by the European Court of Human Rights (Dobrianska, 2024).

In particular, R. Schuz conducted a review of developments and proposed guidelines on habitual residence (Schuz, 2023). P. Beaumont and J. Holliday analyzed the concept of "habitual residence" in the context of child abduction cases (Beaumont & Holliday, 2021). M. Župan & M. Drventić Barišin explored Continuity of Parental Responsibility in Child Abduction Cases: Lesson Learned from the Case of Z. v. Croatia (Župan & Drventić Barišin, 2023). M. Stanivuković examined the concept of habitual residence in the jurisprudence of the Court of Justice of the European Union (Stanivuković, 2021), while J. Atkinson elucidated the contemporary interpretation of "habitual residence" within the Hague Convention on the Civil Aspects of International Child Abduction and the Hague Convention on the Protection of Children (Atkinson, 2011). A study by A. Fiorini expanded the concept of habitual residence to include newborns (Fiorini, 2012).

The purpose of this article is to examine the issues involved in determining the habitual residence of a child in cross-border cases concerning parental responsibility and measures for the protection of children.

Materials and methods. The basis of this research was established using a combination of general scientific and special legal scientific research methods.

The method of analysis and synthesis made it possible to define the meaning of the concept of "child's habitual residence".

The use of special legal methods – legal dogmatics and comparative legal method achieved the goals and objectives set in the study.

The legal dogmatics method made it possible to study modern theoretical and legal approaches of scientists on determining the habitual residence of a child in cross-border cases regarding parental responsibility and child protection measures. In addition, using the method of legal dogmatics, it became possible to characterize the problems of determining the "usual place of residence" of children displaced as a result of the war in Ukraine. This method was also used to analyze the content of legal norms and their use in judicial practice.

The comparative legal method made it possible to highlight the issue of how the procedure for determining the child's habitual place of residence is regulated in accordance with international acts

and the legislation of Ukraine. The author identifies current shortcomings in the regulation of the procedure for determining the habitual residence of a child in cross-border cases regarding parental responsibility and child protection measures. The comparative legal method was also used to analyze the legal position of the Supreme Court regarding the determination of the child's habitual place of residence in comparison with the practice of other court instances.

A comprehensive literature review makes it possible to discover the state of research on this issue in Private International Law. Legislative sources are selected in the official legislative databases of the European Union and Ukraine.

Results and discussion.

1. ***The concept of a "habitual residence of a child" in accordance with international acts and legislation of Ukraine***

The criterion of "habitual residence of a child" is widely used in international instruments such as the Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in the Field of Parental Responsibility and Measures for the Protection of Children (HCCH 1996 Child Protection Convention) and in the Convention on the Civil Aspects of International Child Abduction (HCCH 1980 Child Abduction Convention), but existing international instruments do not contain a definition of the concept of "habitual residence" and are not interpreted in the same way in different jurisdictions (European Court of Human Rights, 2018; European Court of Human Rights, 2021). In some ways, the concept of habitual residence might be seen as the "Achilles' heel" of the HCCH 1980 Child Abduction Convention. Whilst the drafters seemed to have assumed that there would be no difficulty in determining habitual residence, which they saw as a pure question of fact, this expectation has proven to be unrealistic, and different approaches to the concept soon developed (Schuz, 2023).

The concept of "habitual residence of a child" is also absent in the legislation of Ukraine. Article 160 of the Family Code of Ukraine only defines the right of parents to determine the child's place of residence (Law of Ukraine №2947-III). According to this norm, "The place of residence of a child under ten years of age is determined with the consent of the parents. The place of residence of a child who has reached the age of ten is determined by the joint consent of the parents and the child themselves. If the parents live separately, the place of residence of the child who has reached the age of fourteen is determined by him/herself". If it is necessary to determine the habitual residence of a child in cross-border family matters, the national courts of Ukraine apply the rules established by international acts.

Jurisdictional issues in cases of parental responsibility and child protection measures are resolved in accordance with the rules of the HCCH 1996 Child Protection Convention. According to Article 5 of the HCCH 1996 Child Protection Convention, the judicial or administrative authorities of the Contracting State of the child's habitual residence shall have jurisdiction to take measures aimed at protecting the person or property of the child. In the event of a change of the child's habitual residence to another Contracting State, the authorities of the State of the new habitual residence shall have jurisdiction. It should be noted that for refugee children and children who have been displaced to other states as a result of social unrest in their country, the authorities of the Contracting State on the territory of which these children are located as a result of their displacement have jurisdiction (Article 6, HCCH 1996 Child Protection Convention). A similar rule applies to children whose habitual residence cannot be established.

The determination of habitual residence is therefore a matter of facts, rather than legal definitions. The concept refers to a person's abode in a particular place or country which he or she has adopted voluntarily and intentionally as part of the regular order of his or her life, whether for a short or a long time. In the specific context of children, the factor of the intent of the person to stay in a territory is determined in reference to the time period that a child resides in the territory. The duration of the residence is the factor that distinguishes presence from habitual residence. The longer the child resides in

a territory, the greater the significance of ties he or she creates with that state and with its legal system (§ 51, case of M.V. v. Poland, European Court of Human Rights, 2021).

The European Court of Human Rights, in its judgments in cases of parental responsibility and measures for the protection of children, refers to the interpretation of "habitual residence" provided by the Court of Justice of the European Union in the case of Barbara Mercredi (§56, C-497/10 PPU, ECLI:EU:C:2010:829, Court of Justice of the European Union, 22 December 2010). "The concept of 'habitual residence' must be interpreted as meaning that such residence corresponds to the place which reflects some degree of integration by the child in a social and family environment. To that end, where the situation concerned is that of an infant who has been staying with her mother only a few days in a Member State – other than that of her habitual residence – to which she has been removed, the factors which must be taken into consideration include, first, the duration, regularity, conditions and reasons for the stay in the territory of that Member State and for the mother's move to that State and, second, with particular reference to the child's age, the mother's geographic and family origins and the family and social connections which the mother and child have with that Member State. It is for the national court to establish the habitual residence of the child, taking account of all the circumstances of fact specific to each individual case"(Court of Justice of the European Union, 2010; European Court of Human Rights, 2020).

As noted, D. Damascelli, habitual residence is an international connecting criterion aiming at identifying a stable and actual link between a person and a given geographical area. In other words, the habitual residence criterion was introduced to overcome the conflicts of qualification that arose in the past with respect to the domicile criterion, due to its many different definitions in the various national systems. Residence has been qualified as habitual in order to stress the idea that this criterion should establish an actual and genuine geographical connection between the person under consideration and a given place (Damascelli, n.d.).

The Practical Guidelines of the Hague Conference on Private International Law state that with regard to the application of the 1996 Hague Convention on Parental Responsibility, the following circumstances should also be taken into account when determining habitual residence. First, where there is clear evidence of an intention to commence a new life in another State, then an existing habitual residence will usually be lost and a new one acquired. Secondly, where a move is open-ended, or potentially open-ended, the habitual residence at the time of the move may also be lost and a new one acquired relatively quickly. However, where a move is time-limited, even if it is for an extended period, it has been accepted in some jurisdictions that an existing habitual residence can be maintained throughout. This could especially be the case if the parents have made an agreement for the child to have a temporary stay in another country. Assessments of other situations tend to follow one of two approaches. The "parental intention" approach looks at the shared intention of the parents regarding the nature of the move. The "child-centred" approach instead emphasizes the factual reality of the child's life. This factual reality includes elements such as education, social interaction, family relationships and generally refers to the focus of the child's life. There have also been cases which mix both approaches, with reference to both the parental intentions and the child's life. In deciding which approach to follow, some courts take into consideration the age of the child involved; the older the child, the more likely the court will pay closer attention to the focus of his or her life (Hague Conference on Private International Law, 2014, p.174).

2. *Some Problems of Determining the "Habitual Residence of a Child" Displaced as a Result of the War in Ukraine*

It is generally admitted that this criterion conveys the principle of the child's best interests in procedural matters, as it expresses the principle of proximity and efficiency, allowing for the "natural" court to hear the child, investigate efficiently the circumstances of the case and decide it promptly. It should also be recalled that in all cases affecting children, time is of the essence. However, regard-

ing displaced children, this ground of jurisdiction can no longer be applied concerning their home country, since they had to leave their country. On the other hand, migrant children require protection well before they acquire habitual residence in a new State, being especially vulnerable (European Parliament, 2017, p. 14).

As mentioned earlier, the peculiarity of the concept of "habitual residence of the child" is that it must be considered by the Contracting States in each individual case in accordance with the individual factual and vital circumstances of the child, which in practice causes problems. For example, in the context of the armed conflict in Ukraine, it is quite difficult to determine the usual place of residence of a child citizen of Ukraine who enjoys temporary protection in the EU countries for several reasons.

Firstly, the uncertainty of the boundaries of the terms of stay in a foreign country. Children-citizens of Ukraine are forced to stay on the territory of a foreign state for a long time (3 years) legally, enjoying the status of temporary protection in accordance with Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof (Council of the European Union, 2001). Under such circumstances, the child is simultaneously under the influence of two national laws – the legislation of the country of citizenship (Ukraine) and the legislation of a foreign state with which cross-border relations of a private nature are connected.

In addition, the connection of a child citizen of Ukraine with a foreign state has not been clarified in time – it is limited by the validity period of temporary protection. Ukraine cannot be considered the child's usual place of residence, since the child left the country as a result of war unrest, lives and enjoys temporary protection in a foreign state, but such residence cannot be characterized as permanent. At the same time, the recognition of the country of his/her actual residence (the country that granted temporary protection) as a habitual place of residence is a big issue, since there is uncertainty about the prospects for future stay and the terms of further stay in this country are unknown.

Secondly, there are uncertain intentions to stay in the host country. In the practice of the ECtHR (case of M.V. v. Poland) on the concept of "habitual residence of the child" it is reflected that "the concept refers to a person's abode in a particular place or country which he or she has adopted voluntarily and intentionally as part of the regular order of his or her life, whether for a short or a long time. In the specific context of children, the factor of the intent of the person to stay in a territory is determined in reference to the time period that a child resides in the territory" (§ 51, case of M.V. v. Poland, European Court of Human Rights, 2021). Commenting on this definition in relation to the determination of the usual place of residence of children displaced as a result of social troubles, we can talk about the so-called "coerced voluntariness". This vision is since the sign of voluntariness is characteristic only for the choice of a country that will provide temporary protection within the EU for the period of existence of a real threat to the life and health of the child in the country of origin, and not the intention to intentionally change the place of residence altogether.

Thirdly, there is an active integration of the child of a citizen of Ukraine in the host country – attendance at educational institutions, social ties, health care, and at the same time, in most cases, a close connection with the country of citizenship is maintained – distance learning in Ukrainian educational institutions and preservation of social ties. Under such circumstances, it is difficult to determine the child's habitual residence and jurisdiction in cases of parental responsibility and measures to protect children. We believe that children enjoying temporary protection in EU countries are equally related to both countries – citizenship and actual residence. In this regard, it is worth paying attention to the point of view of M. Semenova, who notes that "children who were taken to the EU countries after 24.02.2022, as a rule, were born and lived in Ukraine all their lives before the start of the full-scale invasion of the Russian Federation into Ukraine and have a permanent place of registration in Ukraine. They are temporarily located on the territory of the EU coun-

tries in accordance with the requirements of Council Directive 2001/55/EC. Such children do not have a permanent place of registration in the country of stay. Most of the children during their stay outside Ukraine were not able to fully adapt to the social environment, to the change in language and the differences in the educational process, climate and mentality. As a rule, all family and social ties of children (relatives and friends) remained in Ukraine. Therefore, taking into account all the circumstances, in particular the duration, regularity, conditions and reasons for stay, place and conditions of attending educational institutions, knowledge of the language, social and family relations of the child in such a state, the usual place of residence of such children is Ukraine" (Semenova, Bazhanova, 2024, p. 350–351). In general, this point of view is logically justified and interesting because children who are Ukrainian citizens were forced to leave Ukraine and ended up in different countries and socio-cultural environments. However, it is worth noting that M. Semenova's point of view that Ukraine is the usual place of residence of children enjoying temporary protection is contradictory for several reasons. Firstly, with regard to children enjoying temporary protection in different EU countries, so it seems impossible to apply all the criteria proposed by the scientist to determine the usual place of residence. It is also impossible to single out one or more factors that will be key to determining the usual place of residence. For example, children who are citizens of Ukraine from the moment of birth to February 24, 2022 lived on the territory of Ukraine for different periods of time. Thus, a one-month-old child and a 17-year-old child have varying degrees of connection with the state in which they were born. Secondly, the criterion of permanent registration in Ukraine has no impact on determining the child's habitual place of residence, since the predominant sign of connection with the state will be Ukrainian citizenship. Thirdly, most persons who benefit from temporary protection under Council Directive 2001/55/EC after one year of residence in the territory of the country that granted such protection have a permanent place of registration at their actual address on the basis of temporary protection. We do not agree with the author's opinion that children "have not fully adapted to the social environment"(Semenova, Bazhanova, 2024, p. 350) since the processes of integration and adaptation also depend on many factors, and each child has a different experience.

In our opinion, the generalization turns out to be incorrect because different EU countries granting temporary protection under Council Directive 2001/55/EC define different conditions for temporary protection, which we define as social factors. For example, some countries do not require studying in the host country if you have a certificate of study in Ukraine. Other countries define attending educational institutions as an obligation. Education is compulsory in most EU countries. For example, every child between the age of 7 and 18 living in Poland is subject to compulsory schooling or compulsory education. It means that any child is obliged to go to school under the threat of sanctions against the parents. This obligation is also applied to children who do not have Polish citizenship, regardless of the legal status of their parents in Poland (Migrant Info, 2024).

Thus, it seems to be an erroneous and contradictory statement to recognize the habitual residence of children enjoying temporary protection in EU countries for Ukraine.

Hague Conference on Private International Law in publication "The Application of the 1996 Child Protection Convention to Unaccompanied And Separated Children" identified, that habitual residence is a question of fact, this will depend on the particular circumstances of each case including on whether the conditions of the child in the country, notably their legal status there in accordance with the applicable law (e.g., being a refugee or not), provide for sufficient stability to allow for the establishment of a habitual residence (HCCH, 2024, p. 15).

3. *Legal positions of the Supreme Court (Ukraine) regarding the determination of the habitual residence of a child*

In the judicial practice of Ukraine, the habitual place of residence of a child is established based on the circumstances of each specific case, taking into account the principle of the best interests

of the child. However, the lack of clear criteria for determining the habitual residence of a child in international and national instruments leads to an erroneous definition of jurisdiction in cases of child protection and parental responsibility, which may result in non-compliance with the principle of the best interests of the child. For example, the court of first instance erroneously determines the jurisdiction of the court of a foreign state, and the court of appeal determines the jurisdiction of the courts of Ukraine (Supreme Court, July 31, 2024). A vivid example is the proceedings in case No. 760/18630/22, the child has dual citizenship – Polish citizenship and Ukrainian citizenship (mother is a citizen of Ukraine, father is a citizen of Poland, parents are divorced). The child was born and lived in Ukraine before the outbreak of hostilities. Since 2022, the child has been living in Poland with his mother, where he attended kindergarten. The father was against the return of the child from Poland to Ukraine. The mother filed a lawsuit against her ex-husband, in which she asked to determine the place of residence of the minor child with her in Ukraine. The court of first instance closed the proceedings in the case, indicating that the plaintiff and her daughter had changed their place of permanent residence from Ukraine to Poland. The court considered the duration of the child's stay in this country, attendance at a preschool institution, took into account that the child has Polish citizenship, etc. Therefore, guided by the provisions of Articles 5 and 6 of the HCCH 1996 Child Protection Convention, the court stated that the court of Ukraine did not have jurisdiction to resolve the dispute in this case (Supreme Court, July 31, 2024; Supreme Court, August 13, 2024).

The Court of Appeal reversed the decision of the court of first instance and sent the case for further consideration. The court proceeded from the fact that at the time of filing the claim and initiating proceedings in the case, there was no circumstance specified in paragraph "b" of Part 1 of Article 7 of the Hague Convention on Parental Responsibility of 1996, since the child had not lived in Ukraine for less than one year. the court noted that the child's attendance at a kindergarten in Poland since September 2022, obtaining a PESEL number and citizenship of the Republic of Poland certainly did not indicate the child's adaptation to the new place of residence at the time of the initiation of proceedings in the case (Supreme Court, July 31, 2024). According to the justification of the appellate court, this dispute should be subject to the jurisdiction of the courts of Ukraine.

The Cassation Civil Court of the Supreme Court noted that the Provisions of Article 7 of the Hague Convention on Parental Responsibility of 1996, when determining the jurisdiction applied by the Court of Appeal, apply only in the case of unlawful removal or maintenance of a child. Instead, the case materials do not contain evidence that the child was unlawfully moved from the territory of Ukraine to the territory of Poland. Due to the fact that the child was born in Ukraine, lived in Ukraine until February 2022 and is a citizen of Ukraine, at the time of filing this lawsuit with the court and opening proceedings in the case, she did not live in Ukraine for a short period of time, her usual place of residence remained Ukraine (Supreme Court, August 13, 2024).

The example of this case shows an individual consideration and assessment of all the circumstances regarding the determination of the child's permanent residence, which indicate the child's closest connection with a particular state, namely Ukraine, despite the presence of Polish citizenship and the child's attendance at a preschool educational institution. The determining factor in the meaning of the child's permanent residence in this case was a temporary (short-term) stay in a foreign state.

The Supreme Court, as part of the panel of judges of the First Judicial Chamber of the Civil Court of Cassation, found that due to the fact that the child was born in Ukraine, lived in Ukraine until February 2022 and is a citizen of Ukraine, at the time of filing a lawsuit with the court and opening proceedings in the case, she did not live in Ukraine for a short time, her usual place of residence remained Ukraine. At the time of applying to the court, the child was 5 years and 4 months old, of which 4 years and 6 months she lived in Ukraine and 10 months in Poland. At the same time, on the territory of Ukraine, the child attended kindergarten for almost 3 years, and on the territory of Poland – about 2 months (Supreme Court, July 31, 2024; Supreme Court, August 13, 2024).

The legal position of the Cassation Civil Court of the Supreme Court regarding the determination of the child's habitual place of residence is based on the following criteria: firstly, attendance at an educational institution (preschool educational institution – kindergarten, school, various circles); secondly, based on the results of establishing the following circumstances: the child is receiving medical care, the child has his friends, hobbies, the child has stable family ties and other facts that testify, that the child considers his place of residence to be permanent, comfortable and the place of residence of his family, etc. That is, the child's habitual place of residence should be understood as such a place, the existence of which proves a certain degree of attachment of the child to his social and family environment. To this end, it is necessary to take into account, in particular, the duration, regularity, conditions and reasons for the stay of the child and family in a particular state, the place and conditions of attending educational institutions, knowledge of the language, social and family relations of the child in such a state (resolutions of the Supreme Court of November 1, 2022 in case No. 201/1577/21, proceedings No. 61-4217sv22, of January 31, 2024 in case No. 336/5265/22, proceedings No. 61-12940SV23) (Supreme Court, July 31, 2024).

The plaintiff must prove permanent residence (habitual place of residence) with evidence confirming, in particular, the education of the child, the receipt of medical care and the implementation of other social services in relation to him in this state (Supreme Court, November 1, 2022).

Another feature that is considered when determining the child's usual place of residence is safety issues. Thus, the judge of the Supreme Court in the Civil Court of Cassation, A. Oliynyk, noted that: the very fact of the introduction of martial law on the territory of Ukraine is not a sufficient basis for determining the place of residence of a child with one of the parents; circumstances related to the safety of the child and the consequences of hostilities are significant, subject to determination and assessment by the court. When resolving a dispute about the child's place of residence during martial law, the courts should assess all the circumstances of the case in their entirety, apply flexible approaches to making a decision in the case, taking into account the best interests of the child, the balance between the interests of the child and the rights of parents to raise him/her. The fact of the child's residence abroad (regardless of whether the child was taken abroad before or after filing a lawsuit to determine the child's place of residence) does not affect the resolution of the dispute by the courts of Ukraine on determining the place of his/her residence. The return of a child to Ukraine is not a prerequisite for resolving a dispute between parents to determine the place of residence of such a child (Oliynyk, 2024; Supreme Court, December 11, 2023).

There were cases when the father wanted to return the child to Ukraine, but the court decided that from the point of view of safety, it was better for the child to stay abroad. In such categories, war is a significant factor for decision-making (Krat, 2024).

Conclusions. The key criterion for determining jurisdiction in cases with a foreign element regarding parental responsibility and child protection measures is the criterion of "habitual residence of a child". The analysis of the current state of legal regulation of the procedure for determining the "habitual residence of a child" allows us to talk about a partial level of legal regulation in international acts and national legislation of Ukraine. This situation has both positive and negative consequences. On the positive side, due to the lack of clear and imperative requirements for determining the child's habitual place of residence, it is possible to observe the best interests of the child with greater precision, taking into account the peculiarities of the life circumstances of each individual child. On the negative side, there are difficulties in law enforcement to determine the child's habitual place of residence, since the national legislation of Ukraine does not contain relevant norms and the courts apply international acts that partially regulate this issue. Due to the flexibility of the concept of the child's habitual residence, there are different interpretations of this concept.

The article identifies some problems of determining the "usual place of residence" of children displaced as a result of the war in Ukraine. In particular, the astor pointed out that the reasons for such

problems are: firstly, the uncertainty of the boundaries of the terms of stay in a foreign country; secondly, there are uncertain intentions to stay in the host country; thirdly, there is an active integration of the child of a citizen of Ukraine into the host country.

In the judicial practice of Ukraine, the habitual place of residence of a child is established based on the circumstances of each specific case, taking into account the principle of the best interests of the child. However, the lack of clear criteria for determining the habitual residence of a child in international and national instruments leads to an erroneous definition of jurisdiction in cases of child protection and parental responsibility, which may result in non-compliance with the principle of the best interests of the child.

The topic of the role and significance of the criterion "habitual residence of the child" in private international law is a topical subject for further scientific research.

References:

1. Atkinson, J. (2011). The meaning of "habitual residence" under the Hague Convention on the Civil Aspects of International Child Abduction and the Hague Convention on the Protection of Children. *Oklahoma Law Review, 63(4),* 647–661. https://digitalcommons.law.ou.edu/cgi/viewcontent.cgi?article=1118&context=olr

2. Bumbaca, V. (2018). Habitual residence: towards a child centered approach. In: 6th Children's Rights Research Symposium. Belfast: https://archive-ouverte.unige.ch/unige:109044

3. Council of the European Union (2001). *Council Directive 2001/55/EC of 20 July 2001 on Minimum Standards for Giving Temporary Protection in the Event of a Mass Influx of Displaced Persons*, OJ L 212, 7 August 2001

4. Court of Justice of the European Union (2010). *Barbara Mercredi v Richard Chaffe* (Case C-497/10 PPU, ECLI:EU:C:2010:829, Judgment of 22 December 2010). https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A62010CJ0497

5. Damascelli, D. (n.d.). Habitual Residence in European Private International Law. Università del Salento. https://platform.europeanmoocs.eu/users/1000023735/Domenico-Damascelli.pdf

6. Dobrianska N. (2024). Vstanovlennia mistsia prozhyvannia dytyny Yevropeiskym sudom z prav liudyny [Establishment of the child's place of residence by the European Court of human rights]. Zovnishnia torhivlia: ekonomika, finansy, pravo No 1 . C. 51–59. DOI: 10.31617/3.2024(132)04. [In Ukrainian]

7. European Court of Human Rights (2018). CASE OF VILENCHIK v. UKRAINE https://hudoc.echr.coe.int/ukr#{%22fulltext%22:[%22Habitual%20residence%20Ukraine%22],%22documentcollectionid2%22:[%22GRANDCHAMBER%22,%22CHAMBER%22],%22itemid%22:[%22001-177228%22]}

8. European Court of Human Rights (2020). CASE OF MICHNEA v. ROMANIA, *Application no. 10395/19*. Available at: https://hudoc.echr.coe.int/ukr?i=001-203631

9. European Court of Human Rights (2021). CASE OF M.V. v. POLAND https://hudoc.echr.coe.int/ukr#{%22itemid%22: [%22001-208888%22]}

10. European Parliament (2017). Children On the Move: A Private International Law Perspective Legal Affairs: Study, Directorate General for Internal Policies of the Union Policy Department for Citizens' Rights and Constitutional Affairs. PE 583.158, June 2017. In: European Parliament [online]. Available at: https://www.europarl.europa.eu/RegData/etudes/STUD/2017/583158/IPOL_STU(2017)583158_EN.pdf

11. Hague Conference on Private International Law (2014). Practical Handbook on the operation of the Hague Convention of 19 October 1996 on Jurisdiction, Applicable Law, Recognition, Enforcement

and Co-operation in Respect of Parental Responsibility and Measures for the Protection of Children. https://assets.hcch.net/docs/eca03d40-29c6-4cc4-ae52-edad337b6b86.pdf

12. HCCH (1980). Convention on the Civil Aspects of International Child Abduction. Retrieved from https://www.hcch.net/en/instruments/conventions/full-text/?cid=24

13. HCCH (1996). Convention on jurisdiction, applicable law, recognition, enforcement and cooperation in respect of parental responsibility and measures for the protection of children. Retrieved from https://www.hcch.net/en/instruments/conventions/full-text/?cid=70

14. HCCH (2024). The Application of the 1996 Child Protection Convention to Unaccompanied And Separated Children, The Hague, 2024.

15. Krat, V. (2024). Gromadyany` chastishe zvertayut`sya do sudiv shhodo styagnennya kompensaciyi z agresora [Citizens often turn to the courts to recover compensation from the aggressor]. URL: https://bukvy.org/gromadyany-chastishe-zvertayutsya-do-sudiv-shhodo-styagnennya-kompensacziyi-z-agresora-vasyl-krat/ [in Ukrainian].

16. Kyrylchuk I.A. (2023). Pryntsyp naikrashchoho vrakhuvannia interesiv dytyny pry vyznachenni mistsia yii prozhyvannia u sudovomu poriadku [Principle of the best consideration of the interests of the child when determining the place of his/her residence in court]. *Vcheni zapysky TNU imeni V.I. Vernadskoho. Seriia: yurydychni nauky.* 34 (73) No. 1, 13–19. [In Ukrainian]

17. Law of Ukraine №2947-III. Family Code of Ukraine № 2947-III dated Jeunery 10, 2002. https://zakon.rada.gov.ua/laws/show/2947-14#Text [in Ukrainian].

18. Melnyk, O. (2023). Problematyka vyznachennia mistsia prozhyvannia dytyny pislia rozluchennia bat′kiv u period voiennoho stanu [Issues of determining the child's place of residence after parents' divorce during martial law]. *Naukovyi visnyk Uzhhorods'koho natsional'noho universytetu. Seriia: Pravo, 1(79),* 211–214. DOI https://doi.org/10.24144/2307-3322.2023.79.1.36. [In Ukrainian]

19. Migrant Info (2024). Should I send my child to school while in Poland? Retrieved from https://migrant.info.pl/ua/home-120/navcanna/vazliva-informacia-ta-prakticni-poradi

20. Oliynyk A. (2024). Pravozastosuvannya shhodo vy`znachennya miscya prozhy`vannya dy`ty`ny` pry` rozglyadi sprav v umovax voyennogo chasu [Law Enforcement on Determining the Place of Residence of a Child in Wartime Cases]. https://supreme.court.gov.ua/supreme/pokazniki-diyalnosti/navch_suddiv_praciv_aparativ_2021/1621755/ [in Ukrainian].

21. Schuz, R. (2023). Habitual Residence: Review of Developments and Proposed Guidelines. *Laws, 12*(4), 62. https://doi.org/10.3390/laws12040062

22. Semenova, M., Bazhanova A. (2024). Deyaki aspekty`rozglyadu sporiv shhodo zaxy`stu prav i svobod ditej pid chas diyi v Ukrayini voyennogo stanu [Some aspects of consideration of disputes regarding the protection of children's freedoms during martial law in Ukraine]. "Human Rights in Armed Conflicts": International Scientific and Practical Conference dedicated to the 75th anniversary of the adoption of the Geneva Conventions for the Protection of Victims of War of 1949 and the International Human Rights Day. November 1, 2024, Odesa: Proceedings of the Conference. Odessa. 2024. P. 345–353. https://dspace.onua.edu.ua/server/api/core/bitstreams/2ff801a3-9447-4656-a67a-30fddb4016c1/content [in Ukrainian].

23. Stanivuković, M. (2021). Child's habitual residence in the jurisprudence of the Court of Justice of the European Union. Vol. 55 (3). Zbornik radova Pravnog fakulteta u Novom Sadu. 709–735. https://doi.org/10.5937/zrpfns55-34676

24. Supreme Court (August 13, 2024). The Civil Court of Cassation of the Supreme Court recognized the jurisdiction of the court of Ukraine in the dispute over determining the child's place of residence in a case with a foreign element. https://supreme.court.gov.ua/supreme/pres-centr/news/1650727/ [in Ukrainian].

25. Supreme Court (December 11, 2023). Resolution of the Civil Court of Cassation of the Supreme Court dated December 11, 2023 in case No. 607/20787/19 (proceedings № 61-11625сво22). https://verdictum.ligazakon.net/document/116606725?utm_source=jurliga.ligazakon.ua&utm_medium=news&utm_content=jl03 [in Ukrainian].

26. Supreme Court (July 31, 2024). Resolution of the Civil Court of Cassation of the Supreme Court dated July 31, 2024, in case No. 760/18630/22 (proceedings No. 61-6796sv24). https://reyestr.court.gov.ua/Review/120785009 [in Ukrainian].
27. Supreme Court (November 1, 2022). Resolution of the Civil Court of Cassation of the Supreme Court dated November 1, 2022 in case No. № 201/1577/21 (proceedings № 61-4217св22). https://protocol.ua/ru/postanova_ktss_vp_vid_01_11_2022_roku_u_spravi_201_1577_21/ [in Ukrainian].
28. Sushch, O. (2024). Private International Law and Parental Responsibility: the Experience of Applying Parental Responsibility Measures to Ukrainians in EU Countries. Amazonia Investiga, 13(81), 24–38. https://doi.org/10.34069/AI/2024.81.09.2
29. Sushch, O. (2025). The Principle of the «Best Interests of the Child» in Private International Law. *Aktual'ni problemy simeinoho prava: Materialy II mizhnar. nauk.-prakt. konf., prysviach. pamiati d-ra yuryd. nauk, prof., chl.-kor. NAPrN Ukrainy Zhilinkovoi Iryny Volodymyrivny (m. Kharkiv, 11 kvit. 2025 r.) / Nats. yuryd. un-t im. Yaroslava Mudroho, Kaf. tsyv. prava; Hrom. orh. "Tsivilistychna platforma".* Kharkiv: Pravo, 93–97.
30. UNHCR. (2025). *Ukraine situation*. Retrieved June 8, 2025, from https://data.unhcr.org/en/situations/ukraine
31. Župan, M., & Drventić Barišin, M. (2023). Continuity of Parental Responsibility in Child Abduction Cases: Lesson Learned from the Case of *Z. v. Croatia. Laws*, *12*(5), 82. https://doi.org/10.3390/laws12050082

CURRENT TRENDS IN LEGAL REGULATION
OF CRYPTOCURRENCY PAYMENTS

Vitalii Volynets,
Doctor of Law, Professor at the Department of Hotel and Restaurant Business,
Kyiv University of Tourism, Economics and Law (Kyiv, Ukraine)
ORCID ID: 0009-0003-0714-236X
volinets.law@gmail.com

Abstract. The purpose of the article is to examine current trends in the legal regulation of payments involving cryptocurrency, with a focus on Ukrainian and international practices. The study begins with a historical and technological overview of cryptocurrency development, emphasizing Bitcoin's emergence and the underlying blockchain technology. Special attention is given to the provisions of the Law of Ukraine "On Virtual Assets", highlighting both its strengths and legal gaps, particularly regarding the definitions and regulation of virtual asset issuers. The author argues for the urgent need to improve Ukraine's legal infrastructure to ensure both investor protection and international integration. The work contributes to the broader understanding of how digital finance is reshaping modern legal systems, while also posing serious challenges for law enforcement and policymakers.

Key words: cryptocurrency, virtual assets, legal regulation, blockchain, compliance, money laundering.

Introduction. Today, there is a steady trend worldwide towards the development of the cryptocurrency[1] market, towards an increase in its capitalization, and towards the emergence of new payment instruments related to the acquisition and disposal of virtual assets. Therefore, a professional analysis of these new developments in the legal regulation of transactions using cryptocurrency is becoming an extremely relevant and promising area of research in the field of law.

Let us now get to the heart of the regulatory issue at hand.

Main part. It is widely recognized that the origin of the creation of cryptocurrency dates back to 2008, when a payment system file was first published in the form of a temporary network under the pseudonym Satoshi Nakamoto. Back in 2009, Satoshi Nakamoto presented the Bitcoin client program in the form of open-source code on the Internet. During the time Nakamoto was involved (2008–2010), approximately 1 million coins have been mined. Except for some test transactions, all coins remain unspent since mid January 2009, at the peak of bitcoin in December 2017, such "hidden treasure" was worth about 17 billion euros. However, only the owner of the private key will be able to prove he is the real Satoshi (The story, 2025).

From the technological viewpoint, Bitcoin units (coins) are computer files, such as, for example, a text file. In turn, the so-called "coins" in the Bitcoin (BTC) system are cryptographic (mathematical) hash codes, i.e., created using encryption technologies, each of which is unique in nature and cannot be used twice. By drawing an analogy between Bitcoin and precious metals, one can see the difference between the new means of payment and other financial instruments. For example, if the value of gold or silver is based on their physical properties, then the use of Bitcoin is based on its mathematical properties. Cryptocurrency is digital money, which is based on cryptography technology, i.e., data encryption. Such currency does not have a physical form, but exists only in electronic form, thus it is a computer code. Cryptocurrency is created through mining (like the old-fashioned mining, only in a digital "mine"). Mining is the solution to a certain crypto problem by completely searching for a

---

[1] For the purposes of this article, the terms "virtual asset", "virtual currency" and "cryptocurrency" are considered synonymous. At the same time, at least under Ukrainian law, the normative definition of the concept of a virtual asset as an intangible good that is the object of civil rights, has a value and is expressed by a set of data in electronic form (Article 1 of the Law of February 17, 2022), allows this concept to include other intangible goods, which are distinct from cryptocurrency, as well.

given algorithm using special technical equipment to confirm transactions and ensure the security of the cryptocurrency network.

In order to understand the essence of the functioning of the cryptocurrency network, it is also necessary to understand the meaning of such a significant category as a transaction. Transaction is a message to the network about the transfer of a certain amount of cryptocurrency from one user to another. Transactions are seen by miners (computer equipment), which must perform calculations to complete the operation. After the calculation is completed, the transaction is entered into the so-called block (record in the system). There are many such blocks, however, and the most important thing is that each block is linked to the previous one.

It is worth mentioning that despite the fact that the law of Ukraine of February 17, 2022 "on virtual assets", which should regulate the legal status of cryptocurrencies in Ukraine, has not yet entered into force (due to the binding of cryptocurrency market launch to the introduction (still at works) of the procedure for taxation of transactions with virtual assets), the crypto asset market has been growing steadily in Ukraine, which has become one of the world leaders in the use of crypto assets. Fast introduction of virtual assets into global finance, their various combinations with fiat (classical) money, raises many security and regulatory issues (Koshovyi, 2023).

Legal regulation of payments using cryptocurrency in Ukraine currently remains in its "infancy" status. The key law regulating the circulation of virtual assets is the Law of Ukraine "On Virtual Assets", which was adopted on September 8, 2021, and entered into force simultaneously with the date of entry into force of the law on amendments to the Tax Code regarding the features of taxation of transactions with virtual assets. This important regulatory act legalized the circulation of virtual assets, allowed their exchange and declaration, and also created appropriate conditions for the registration of foreign cryptocurrency companies in Ukraine. It is important to note that taxes on cryptocurrency transactions are paid while taking into account the requirements of the Tax Code. In particular, profits from the sale of virtual assets are taxed at a general rate of 18% personal income tax and 1.5% military levy.

It is worth supporting the academic position that distinguishes the following main features of cryptocurrencies: 1) cryptocurrency is a certain digital code that is generated based on complex mathematical algorithms; 2) cryptocurrency can perform the options of fiat money, in particular, be in the form of a means of payment, an exchange equivalent, etc.; 3) cryptocurrency is characterized by the anonymity of participants in transactions and the use of specific encryption mechanisms; 4) accounting for transactions with cryptocurrencies is carried out using blockchain technology; 5) cryptocurrency system acts as a closed decentralized system, the main aspects of the functioning of which are determined by its participants. In turn, cryptocurrency exchange rate is not determined by the national bank, but is adjusted in the process of functioning, formed by the market. Also, emission of cryptocurrency assets is not under state control; 6) lack of its real security (the value of cryptocurrencies is the result of the ratio of demand and supply for them among users) (Kaznacheeva & Dorosh, 2020: 172).

Under Ukrainian law, the legal status of cryptocurrency is determined by property laws and not as a means of payment. It is clear that the use of cryptocurrency as a traditional object of civil rights is simpler, because the issues of legal regulation of objects of civil rights are already regulated by the Civil Code of Ukraine. Also, there is extensive judicial practice in understanding the specifics of the definition and use of objects of civil rights; at the same time, the concept of using cryptocurrency as a means of payment involves extensive legislative work, primarily understanding the mechanism of introducing cryptocurrency as a means of payment, the features of settlements using cryptocurrency, and the need to revise special legislation on payment systems.

Indeed, the legal regime of cryptocurrencies differs across jurisdictions and is not characterized by any unity or stability of approaches. For example, as of 2025, the United States does not have a

unified or comprehensive regulatory framework governing cryptocurrency. Instead, regulatory efforts rely on a combination of existing laws and oversight by various federal and state authorities.

In 2024, significant progress was made in America with the introduction of the Financial Innovation and Technology for the 21st Century Act (FIT21). Although this legislation was passed by the U.S. House of Representatives, it has not yet been enacted. FIT21 is designed to strengthen the role of the Commodity Futures Trading Commission (CFTC) as the principal federal regulator for digital assets in the U.S.

In the absence of a single legal framework, enforcement and oversight are currently carried out through pre-existing laws and the authority of federal agencies. At the federal level, several administrative bodies are involved in cryptocurrency regulation, each exercising jurisdiction based on the nature of the crypto asset or activity. Among those agencies are the Securities and Exchange Commission (SEC), the Commodity Futures Trading Commission (CFTC), the Internal Revenue Service (IRS), and the Financial Crimes Enforcement Network (FinCEN).

Unlike in Ukraine, in the U.S., virtual assets are viewed as a special type of digital asset. Digital assets are defined as any digital representation of value recorded on a cryptographically secure technology system. They are not fiat currency, since they are not issued in coin or banknote form and are not released digitally by the country's central bank. A digital asset with equivalent value in a national currency or that functions as an equivalent is termed a convertible virtual currency. According to the U.S. Internal Revenue Service position, virtual assets – and most commonly, cryptocurrencies – are examples of convertible virtual currencies that can be used to pay for goods and services, conduct peer-to-peer digital transactions, or be exchanged for national currencies or other digital assets (Digital assets, 2025).

Overall, there are quite a few civil and criminal cases in the field of cryptocurrency regulation, which are currently adjudicated by the American courts. It can be safely guessed that the number of these cases will further grow with the expansion of cryptocurrency assets and transactions.

Overall, the evolution of virtual assets from speculative investments into a new class of financial instruments has prompted governments around the world to develop innovative regulatory approaches.

In particular, the European Union, which has significant experience in this domain, especially relevant for Ukraine, is currently finalizing its new framework for virtual asset markets following the adoption of the Markets in Crypto-Assets Regulation (MiCA) (Markets, 2025).

Even a brief analysis of the provisions of the abovementioned Law of Ukraine on Virtual Assets demonstrates that it generally reflects the MiCA Regulation's approach to the legal status of crypto-asset service providers. Specifically, "providers of services related to the billing of virtual assets" are defined solely as commercial entities – namely, legal persons engaged in one or more types of activity on behalf of third parties, as specified in paragraph 8, part 1, article 1 of the Law.

However, as noted by O. Pochynok, the legal status of virtual asset issuers has not been adequately clarified. Ownership or proprietary rights to virtual assets may belong to both natural and legal persons unless there is a direct prohibition on acquiring ownership of such assets. The Law also fails to elaborate on the term "issuer of virtual assets" used in part 5, article 5 – namely, "a person assuming obligations under a secured virtual asset" – as this category may include both individuals and legal entities. Therefore, this scholar argues that it is necessary to clearly define the scope of virtual asset issuers, which also applies to issuers of financial virtual assets mentioned in part 6, article 4 of this Law (Pochynok, 2023: 222).

I would also like to add that, despite the presence of certain legal constructs in the Ukrainian Law on Virtual Assets, which partially align with MiCA's conceptual vision of building a legal framework for the virtual asset market, key elements were either overlooked or omitted during the law's drafting and adoption. In particular, the terminology used in the Ukrainian legislation still requires improve-

ment, especially in terms of detail and its consideration of specific types of virtual assets, where it falls short compared to MiCA (Volynets, 2025: 26-32).

Other regions of the world are likewise advancing efforts to establish effective regulatory platforms for virtual asset-related legal relations. Experts note that the United Arab Emirates is creating the world's first regulatory body focused exclusively on virtual assets. Switzerland, in turn, is integrating a legal framework for virtual asset regulation into its national legal system, giving market participants the desired legal certainty regarding the legislative and regulatory environment. Meanwhile, the Federal Financial Supervisory Authority of Germany (BaFin) regards virtual assets as innovative means of payment. These assets have various labels internationally and domestically, such as digital, virtual, alternative currencies, or cryptocurrencies.

Some researchers think that such a combination of cryptocurrency and the banking system will make them more similar to traditional payment instruments, and the idea of creating a crypto asset that can be used on a par with the hryvnia or dollar seems very promising. Despite significant progress in the development of digital finance, cryptocurrencies are still not legal tender in Ukraine. According to Article 192 of the Civil Code of Ukraine, only the hryvnia is the national currency, although the use of foreign currency is allowed as well. The Law "On Currency and Currency Valuables" also specifies that the national currency can be represented in the form of digital money issued by the National Bank of Ukraine, but this is not a cryptocurrency. Legal regulation of the cryptocurrency market in Ukraine needs significant improvement. The uncertain legal status of cryptocurrencies creates many risks for market participants. The lack of clear provisions forces people to act at their own risk, which in turn increases the threats to consumers. Legislative regulation is important to protect the interests of market participants and will contribute to a more effective integration of Ukraine into the European market, including its financial sector (Darchyk, 2025: 338).

Despite many obvious challenges, the Ukrainian cryptocurrency market remains highly active – many agencies have their own cryptocurrency exchanges, which was made possible by the absence of significant legislative prohibitions or restrictions. However, there is still a lot of uncertainty in this area of business activity and regulation, as there is no official legislative roadmap and correct definitions. Hence, the level of cryptocurrency market volatility remains high in this country.

Integration of economic systems of many countries, digitalization of the economy, emergence of new financial instruments, development of high technologies – all such factors may have a "flip side" and can be used not only for legal purposes. In today's environment, cryptocurrency transactions are often used for money laundering, as such transactions make it difficult to identify persons who commit them. Bitcoin, for example, can be used to implement a variety of laundering schemes that virtually block the possibility of identifying the perpetrator.

Among some major advantages of cryptocurrencies, which also make them attractive for money launderers, are:

1) they are decentralized and not controlled by any central authority, which means they are less vulnerable to censorship, corruption, or manipulation;

2) they offer a high level of security and privacy, as transactions are encrypted and verified by a network of nodes, and users can remain anonymous or pseudonymous;

3) they are transparent and immutable, since all transactions are recorded on a public ledger that cannot be altered or erased. This ensures trust and accountability among users;

4) they are diverse and innovative, as there are thousands of different cryptocurrencies with different features, functions, and areas of usage. Users can freely choose the ones that suit their specific needs and preferences (Koirala, 2021).

A virtual currency transfer usually includes a message about identification data (sender, recipient, digital document) and the amount of currency transferred. The key obstacle for law enforcement is that such transactions can be carried out using anonymous addresses/identities and they are often

encrypted. One person may use several different identities/addresses on a single platform. Since virtual currency transactions are conducted online, they leave little or no documented evidence at all (Richardson & de Lucas Martin, 2021).

This poses both advantages and threats for the financial system, which heavily relies on the cryptocurrency ecosystem.

To prove my thesis, I will turn to one of the recent large-scale fraud schemes, related to cryptocurrency, which has been successfully investigated and prosecuted in the United States.

On November 21, 2023, the U.S. Department of Justice announced that Binance Holdings Limited, the world's largest cryptocurrency exchange at the time, had pleaded guilty to multiple federal charges. Those included conspiracy to violate the Bank Secrecy Act (BSA), operating without proper registration as a money transmitting business, and breaches of the International Emergency Economic Powers Act (IEEPA). Federal prosecutors stated that Binance intentionally prioritized growth, market dominance, and profits over compliance with U.S. regulations, thus allowing the company to benefit from the U.S. market without implementing necessary legal controls.

As part of the plea deal, Binance agreed to pay $4.3 billion in penalties and committed to significantly improving its compliance measures. Those improvements will be overseen by an independent monitor. This marks the largest corporate guilty plea ever obtained by the Department of Justice and includes an admission of guilt by Binance's CEO. The agreement also imposes enhanced compliance obligations on the company moving forward (United States v. Binance Holdings Limited, 2023).

Federal regulators acknowledged Binance's "substantial cooperation" during the investigation. This included conducting an independent internal review, responding quickly to government inquiries, sharing large volumes of data, and providing incriminating internal communications. Additionally, Binance made multiple presentations to authorities and collaborated extensively with various agencies.

The DOJ's plea agreement also highlights Binance's significant investments in strengthening its anti-money laundering (AML) programs. This includes hiring experienced compliance professionals, expanding the compliance team, and implementing comprehensive risk management practices. Since November 2022, Binance has also adopted more rigorous enterprise-wide monitoring systems and integrated Financial Action Task Force (FATF) standards into its operations. These reforms have been supported by enhanced employee training, demonstrating the company's efforts to meet regulatory expectations (Kamensky et al., 2025).

Following the discovery of violations by law enforcement, Binance began a broad internal restructuring. It upgraded its systems, reassessed its staff, and launched efforts to become a model for compliance in the crypto industry. The company has enhanced its internal AML detection and analytics capabilities and now plays a significant role in assisting global law enforcement in combating cybercrime, financial crime, and terrorism.

Today, numerous analytical reports suggest that virtual assets and digital wallets are actively used in criminal "chains" of transactions, first to defraud investors or ordinary people, and then to hide the stolen funds from law enforcement agencies.

In my opinion, and based on the points I have outlined above, the *Binance* case exemplifies the crucial role of strong corporate governance, especially in an increasingly globalized economy and in sectors like FinTech, where innovation often outpaces regulation. The bottom line here is that any government as a regulator will face a double challenge: on the one hand, there is both common sense and incentive to promote cryptocurrencies as a new technological method of payment with its numerous and obvious advantages; on the other hand, unfortunately, cryptocurrency today is often used as a money laundering tool by bad actors across many jurisdictions.

Conclusions. Based on my research and analyses within this paper, a set of the author's conclusions can be formulated.

First, cryptocurrency is currently transforming the global payment ecosystem, serving not only as a speculative investment tool but also as an emerging class of digital financial instruments. However, its legal regulation remains fragmented and inconsistent across various jurisdictions.

Second, Ukraine's legal framework, primarily embodied in the Law "On Virtual Assets", represents a very important step toward formalizing the crypto market. Yet, key definitions, and especially those regarding asset issuers, remain vague and require legislative refinement. Alignment with the EU's MiCA Regulation can serve as a valuable reference for further development.

Third, progressive international experience (U.S., EU, Germany, Switzerland, UAE, and other countries) reveals a variety of regulatory models, ranging from active government oversight to integration into existing financial systems. The *Binance* criminal case in the U.S. demonstrates both risks of non-compliance and the importance of comprehensive regulatory enforcement.

Finally, despite formal progress, cryptocurrency in Ukraine is not recognized as a legal token or transaction instrument and still lacks legal certainty, which poses risks to market participants. The absence of enforceable regulations encourages operations in a legal gray zone, thus limiting consumer protection and economic security. There is a pressing need for Ukraine to improve its legislative and regulatory infrastructure, including clearer definitions of legal subjects, harmonization with international standards, enforcement of anti-money laundering rules, and integration of cryptocurrency regulation into broader financial and civil law systems.

References:

1. The story of Satoshi Nakamoto and the 1 million bitcoins. *Newsroom.* https://ec.europa.eu/newsroom/cef/items/663083/en [Accessed May 22, 2025].
2. Koshovyi, O. (2023). Shcho ne tak iz zakonom pro virtualni aktyvy? [What is Wrong with the Law on Virtual Assets. Mirror of the week]. https://zn.ua/ukr/ECONOMICS/shcho-ne-tak-iz-zakonom-pro-virtualni-aktivi.html [Accessed May 22, 2025]. [in Ukrainian]
3. Kaznacheeva, D., Dorosh, A. (2020). Kryptovaliuta: problemy pravovoho rehuliuvannia [Cryptocurrency: problems of legal regulation]. *Visnyk Kryminolohichnoi Asotsiatsii Ukrainy [Bulletin of the Criminological Association of Ukraine]*, 2(23), 171–176. [in Ukrainian]
4. Digital assets. https://www.irs.gov/filing/digital-assets [Accessed May 22, 2025].
5. Markets in Crypto-Assets Regulation (MiCA). https://www.esma.europa.eu/ esmasactivities/digital-finance-and-innovation/markets-crypto-assets-regulation-mica [Accessed May 22, 2025].
6. Pochynok, O. (2023). Struktura pravovykh vidnosyn, poviazanykh z obihom virtualnykh aktyviv [Structure of legal relations related to the circulation of virtual assets]. *Visnyk Natsionalnoho universytetu "Lvivska politekhnika". Seriia: "Yurydychni nauky" [Bulletin of the National University "Lviv Polytechnic". Series: "Legal Sciences"]*, 4, 219-231. DOI: https://doi.org/10.23939/law2023.40.219. [in Ukrainian]
7. Volynets, V. (2025). Derzhavnyi kontrol za obihom virtualnykh aktyviv v Ukraini [State control over the circulation of virtual assets in Ukraine]. *Naukovyi visnyk Uzhhorodskoho Natsionalnoho Universytetu. Seria Pravo [Scientific Bulletin of Uzhhorod National University. Law Series]*, 88 (Part 2), 26–32. DOI: https://doi.org/10.24144/2307-3322.2025.88.2.3. [in Ukrainian]
8. Darchyk, H. (2025) Suchasnyi stan pravovoho rehuliuvannia kryptovaliuty v Ukraini. Zarubizhnyi dosvid rehuliuvannia rynku kryptovaliut [The current state of legal regulation of cryptocurrency in Ukraine. International experience in cryptocurrency market regulation]. *Scientific Bulletin of Uzhgorod National University. Law Series. [Naukovyi visnyk Uzhhorodskoho Natsionalnoho Universytetu. Seria Pravo]*, 87 (Part 2), 335–340. [in Ukrainian]
9. Koirala, B. (2021). 16 Advantages and Disadvantages of Cryptocurrency. https://honestproscons.com/advantages-and-disadvantages-of-cryptocurrency/ [Accessed May 22, 2025].
10. Richardson, I. & de Lucas Martin, I. (2021). *Investigation and Trial of Criminal Proceedings Regarding the Legalization (Laundering) of Funds.* Strasbourg-Kyiv: National School of Judges of Ukraine.

11. United States v. Binance Holdings Limited, d/b/a Binance.com (2023). *United States Department of Justice Homepage.* https://www.justice.gov/criminal/case/united-states-v-binance-holdings-limited-dba-binancecom [Accessed May 22, 2025].

12. Kamensky, D., Danylevska, Y., Hrankina, V., Koriahina, A., Udod, A. (2025). Corporate Compliance Programs in the Global Environment: Business, "Binance" and Beyond. In: AlDhaen, E., Braganza, A., Hamdan, A., Chen, W. (eds) Business Sustainability with Artificial Intelligence (AI): Challenges and Opportunities. Studies in Systems, Decision and Control, vol 568. Springer, Cham. https://doi.org/10.1007/978-3-031-71526-6_83

THEORY AND INSTITUTIONS OF EDUCATION

FEATURES OF PSYCHOLOGICAL AND PEDAGOGICAL TRAINING OF FUTURE SPECIALISTS IN HIGHER EDUCATIONAL INSTITUTIONS

Anna Byhar,
Candidate of Pedagogical Sciences,
Associate Professor at the Department of Pedagogy and Methodology of Primary Education,
Yuriy Fedkovych Chernivtsi National University (Chernivtsi, Ukraine)
ORCID ID: 0000-0002-4480-8293
h.buhar@chnu.edu.ua

Iryna Pits,
Candidate of Pedagogical Sciences,
Associate Professor at the Department Pedagogy and Methodology of Primary Education,
Yuriy Fedkovych Chernivtsi National University (Chernivtsi, Ukraine)
ORCID ID: 0000-0002-7911-9922
i.pits@chnu.edu.ua

Kristina Shevchuk,
Candidate of Pedagogical Sciences,
Associate Professor at the Department Pedagogy and Methodology of Primary Education,
Yuriy Fedkovych Chernivtsi National University (Chernivtsi, Ukraine)
ORCID ID: 0000-0002-9365-1456
k.shevchuk@chnu.edu.ua

Abstract. Modern requirements for a higher education teacher have not only increased, but also changed radically. The new situation in society and the education system requires the training of a new type of teachers, capable of working effectively and productively in constantly changing conditions. Now a teacher needs not only to have a high level of general culture, psychological and pedagogical competence, but also to take an unconventional approach to solving various psychological and pedagogical situations, to organize their own activities on a creative basis. It is generalized that psychological and pedagogical training of pedagogical personnel consists of a set of areas of psychological, theoretical and practical training, the main principles of which are a value-based attitude towards the subjects of the educational system, a focus on flexibility and self-development; integration of fundamental and humanitarian professionally significant knowledge; formation of skills to plan and implement the pedagogical process in accordance with the conditions of the educational system.

The psychological and pedagogical competence of higher education applicants is considered as an integrative quality that reflects the formation of a positive attitude towards education, the presence of formed scientific and theoretical, psychological and pedagogical, didactic and methodological knowledge and skills of their application in professional activity. It is concluded that in forming the content of professional training of pedagogical personnel, it is necessary to integrate fundamental training and professionally directed psychological and pedagogical training; to coordinate the goal of professional and pedagogical training of pedagogical personnel with the general goal of professional education; to ensure the unity of the main components of the training of pedagogical personnel (general cultural, psychological and pedagogical and subject-technical).

Key words: psychological and pedagogical training, professional competence, pedagogical staff, subjects of the educational process of higher education institutions, professional activity.

Introduction. Pedagogy and psychology of higher education, addressed primarily to the individual, are gradually changing the idea of the goals and objectives of education. The higher education system is faced with the task of training specialists of a new type, with an attitude towards constant cognitive activity, with a broad scientific outlook. This task determines the need for reconstruction of higher education in terms of improving the structure and quality of personnel training, improving the content of education, developing the creative abilities of specialists, raising the professional level of scientific and pedagogical personnel, re-equipping the educational and material base of higher education institutions (Zinchenko, 2017). It should not be forgotten that to a large extent the intellectual potential of Ukraine depends on solving a number of specific problems of the modern higher education system.

The education system as one of the knowledge-intensive spheres of spiritual reproduction should help overcome the contradiction between the orientation of modern society to the construction and functioning of material production and the ever-increasing desire to preserve the spiritual potential of the nation (Homoniuk, 2020, p. 157). Higher education in general is a process, a movement from goal to result, it is the interaction of individuals. Fundamentally new tasks facing the theory of teaching students of higher education institutions are quite problematic to solve using the guidelines of traditional didactics. In the context of the modernization of higher education, the transition to a multi-level system of bachelor's and master's degrees, and the increasing importance of issues of providing competitive specialists in the intellectual labor market, the problem of training teachers of higher education institutions for their professional activities has not only retained its importance, but has also become even more relevant. Changing socio-economic conditions in society have significantly changed the nature and content of pedagogical activity in higher education, putting forward new requirements for the professional and pedagogical knowledge and skills of the teaching staff, the level of their pedagogical competence, skill and mobility. The formation of a new generation of specialists (educated, well-mannered, with a high level of culture, intellectual development, competitive in changing political and socio-economic conditions) depends, first of all, on the scientific and pedagogical competence of a higher education teacher.

Literature Review. Pedagogy and psychology are called the most important areas of scientific and spiritual development of a teacher, his socio-cultural reproduction. This is confirmed by the study of N. Alexandrova, who considers the structure of professional competence of a higher school teacher to include special training (high level of academic knowledge; awareness and acceptance of the requirements of society and the professional community for the activities of the individual); individual qualities (formation of need-motivational, emotional-volitional, moral characteristics; readiness for self-development); psychological and pedagogical readiness (knowledge of methodological principles and categories of pedagogy and psychology; understanding of the laws of socialization and personality development; ideas about the essence, goals and technologies of upbringing and education; understanding of the laws of anatomical, physiological and mental development of a person at different age stages, etc. (Aleksandrova, 2014, p. 12). That is why scientific research actively considers the problems of modernization and improvement of professional training of pedagogical personnel (N. Naumenko (2024), N. Nychkalo (2021), L. Luk'yanova (2021), O. Stolyarenko (2015), L. Khomych (2021), etc.); psychological and pedagogical training in the professional development of teachers of different levels of education (S. Zinchenko (2017), Yu. Gvozdetska (2023), N. Tytova (2018), etc.); the relationship between pedagogy and psychology in the educational process as the foundations of training specialists (V. Boychuk (2018), O. Boychuk (2018), A. Lisova (2018), etc.); the formation of professional and pedagogical competence (O. Homonyuk (2020), T. Horokhivska (2017), etc.). The analysis of the outlined works gives grounds for the conclusion that psychological and pedagogical training of pedagogical personnel involves considering all aspects of the educational process through the

prism of psychological knowledge, and psychological phenomena – within the framework of psychologically grounded pedagogical systems.

Aims. The aim of the article is to reveal the features of psychological and pedagogical training of future specialists in higher education institutions and professional and pedagogical competence as a basic qualitative characteristic of a higher education teacher.

Methods. To implement the set goal and objectives of the study, traditional (theoretical analysis and generalization of data from scientific and methodological literature: abstraction, systematization, comparison and juxtaposition) and specific research methods (deductive, axiomatic, hypothetical-deductive, inductive methods: to substantiate the essence of the concept of "psychological and pedagogical competence of teachers" and determine the role of psychological and pedagogical knowledge in the professional training of pedagogical personnel in higher education institutions) were used.

Results. The formulation of the problem of psychological and pedagogical training of pedagogical personnel is determined by the analysis of the requirements of society for higher education, graduates and the teacher; pedagogical interpretation of the social order and the allocation on this basis of the most general goals of training future specialists; selection of the content of education in accordance with the defined goals; experimental verification of curricula (the presence of a block of general humanitarian disciplines in them), etc. It should be noted that any higher education system is designed to train young specialists with a high level of theoretical training in the chosen specialty, able to quickly and effectively respond to modern scientific achievements, who have a wide range of professional thinking and are ready to introduce new technologies into the practical sphere. One of the main components of the higher education system is a developed model of a specialist with a reflection of the necessary level of business and personal qualities, knowledge and skills. Therefore, the educational process in higher education institutions involves the gradual and consistent mastering of theoretical and practical knowledge by each student with the mandatory implementation of a number of functions, in particular the formation of personality and the development of intellectual abilities that determine the individual way of thinking and contribute to self-development. Today, the implementation of the educational process in higher education institutions involves the widespread use of various innovative technologies. In particular, innovations in education are manifested in the trends of accumulation and modification of initiatives in the educational space (the use of new methods and teaching techniques, the creation of real conditions for the organization of independent work of students and their self-educational activities), which lead to changes in the field of education, as well as the transformation of its content and quality to a higher level (Tytova, 2018, p. 125). This process is greatly influenced by the system of professional training, which is implemented in the field of academic knowledge (Radkevych, Pryhodii, Kruchek, Voronina-Pryhodii, & Kravets, 2023).

Nychkalo and co-authors point out that the professional training is a kind of process of technical equipment, mastering by the subject of norms, samples and rules of activity. The training of its subject consists in mastering the methods of educational activity: subject, structure, norms, means, in developing an individual professional style (Nychkalo, Lukianova, & Khomych, 2021, p. 28). At the same time, professional training is aimed at forming students` competency basis for the formation and development of theoretical psychological and pedagogical knowledge, practical skills and abilities, which are actively used during professional adaptation, develop and, further, are endlessly improved.

Modern teachers must combine three diverse groups of competencies: the competencies of a teacher who implements training and education within the framework of educational subjects; the competencies of a scientist who conducts research in a specific scientific field; the competencies of a practitioner who solves applied problems and creates a professional product (Stoliarenko, 2015, p. 49). This combination of competencies is aimed at increasing the scientific and practical level of teaching based on a departure from predominantly academic training, based on the teacher's reproduction

of textbooks, monographs and articles. There is a significant expansion of the psychological and pedagogical competence of teaching staff as a basic qualitative characteristic, increasing mobility and speed of adaptation to changes in the educational process.

The state, trends and prospects for the development of the Ukrainian education system show that currently, among others, the problem of professional and pedagogical training of teaching staff is quite acute. The issues of professional and personal growth of teachers are gaining particular relevance due to the need to solve the tasks set by society to activate human potential, which cannot be achieved without a detailed study of the phenomenology, mechanisms, and dynamics of the process of personality development in general and professional development in particular.

The basic qualitative characteristic of pedagogical staff is professional competence, the indicators of which are:

– a clear vision of the guidelines for training (the standard of a specialist, the tasks of his achievement, the professionigram, the sequence of formation of professional competencies, etc.) (Aleksandrova, 2014);

– manifestation of a model of professionalism (a standard of a person and a specialist for students on their path to professional mastery);

– stimulation and organization of effective student activities (mentor, consultant, advisor, assistant);

– knowledge and application of modern innovative technologies of teaching and education, maximally adapted to one's own experience and the specifics of the academic discipline/subject;

– orientation on the connection between theory and practice regarding the development of an active professional position and effective thinking in future specialists;

– providing feedback in learning based on the use of various types of control and self-control.

The professional competence of pedagogical personnel reflects three key functionally interconnected components – general cultural, psychological-pedagogical and subject-technical. *General cultural competence* characterizes the teacher as a carrier of universal and national culture and moral norms and principles, views, actions and deeds determined by them (Horokhivska, 2017, p. 285). *Psychological-pedagogical competence* involves the teacher's understanding of himself and others (students, teachers), knowledge of the laws of general and professional development of the personality in the educational process, abilities to organize interpersonal interaction and communication (communication of participants in the educational process, their individual and joint activities to achieve the goals of learning, upbringing and development). *Subject-technological competence* reflects the level of mastery of the content of education and effective pedagogical technologies, traditional and innovative, including informational (Naumenko, 2024, p. 112), abilities for pedagogical innovation, conducting pedagogical research and implementing their results in practice.

In general, the professional activity of pedagogical personnel (primarily teachers) involves two aspects: pedagogical and psychological. That is why professional training of pedagogical personnel is carried out on a psychological and pedagogical basis as important components of this process. *The psychological orientation* of professional training of pedagogical personnel involves the formation of personal and professional views (Tokareva, 2013); humanistic qualities in relation to the educational process in general (tolerance, empathy in relation to people, readiness to accept human values). *The pedagogical orientation of training* involves theoretical and practical readiness, therefore in pedagogical theory it is also called the "professional orientation of training" (Hvozdetska, 2023), that is, the formation of the readiness of teachers for professional activity.

The psychological and pedagogical activity of teachers is aimed at ensuring the unity of teaching and upbringing in the educational space of an educational institution. In the absence of professional psychological and pedagogical training, teachers, as a rule, do not attach importance to this unity, are not receptive to situations in which educational aspects can be implemented. That is, the psychological and pedagogical aspect reflects deep theoretical training and practical application of modern

technologies of teaching and upbringing in the educational process, taking into account psychological mechanisms and individual characteristics of students. Thus, psychological and pedagogical activity involves the interaction of two forms – cognition and transfer of knowledge. The improvement of pedagogical activity is a complex and multifaceted process.

Therefore, to ensure effective pedagogical activity, psychological and pedagogical training seems necessary, as it allows to:

– put the personality of the teacher and students at the center, giving secondary importance to educational material, methodological tools and techniques and thereby "spiritualizing" the educational process;

– consciously and purposefully implement not only the educational, but also the educational function necessary for the harmonious formation of students;

– reflect on the educational process and orient the teacher towards continuous self-development and professional development based on the formed psychological and pedagogical competence.

Thus, S. Zinchenko sees the main way to optimize pedagogical activity in the modernization of psychological and pedagogical training of pedagogical personnel, which is carried out at two levels, based on the integration of humanitarian, fundamental and professionally oriented disciplines (fig. 1).

Level 1 ⟷ Level 2

| **General psychological and pedagogical training** (basic psychology and pedagogy) | **Special psychological and pedagogical training** (image studies, conflict studies) |
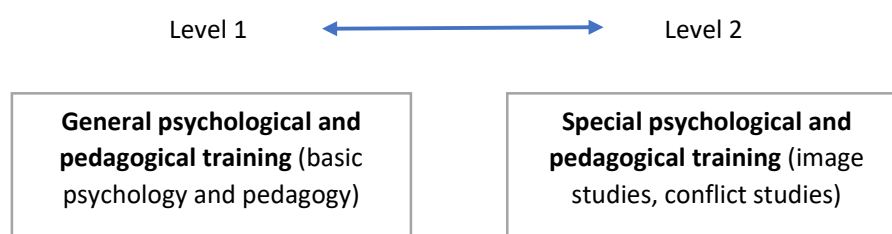
**Fig. 1. Continuity of psychological and pedagogical training
(according to S. Zinchenko) (2017)**

In view of this, psychopedagogical research should be directed towards the scientific substantiation of the structure of education taking into account the regularities of student development; development of the activity content of education at different stages of personality development based on leading types of activity; search for new technologies and forms of organization of the educational environment at different stages of personal formation; radical changes in the training of pedagogical personnel and improvement of their qualifications (Aleksandrova, 2014, p. 357). In scientific and pedagogical research of recent years, a tendency towards deepening of the interrelations between pedagogy and psychology is clearly visible. In the process of pedagogical activity, mutual enrichment of psychological and pedagogical knowledge can be achieved in various ways:

– if the focus of research attention is on pedagogy, and psychological data play the role of important prerequisites, then psychology is an objective factor (primarily in the form of individual psychological characteristics of students) that must be identified and taken into account in the educational process. In this case, it is necessary to pay attention to psychological prerequisites, which are studied as significant factors influencing the educational process;

– considering pedagogical psychology as a science that studies the psychological aspects of education, it is worth using its achievements in pedagogical practice, conducting monitoring and screening studies in education;

– the dialogue between pedagogy and psychology is possible in the context of experimental pedagogy, when psychology provides general pedagogy with an empirical basis. Pedagogy and psychology use each other's methodological approaches, methods, and techniques in the study of the educational space.

That is why we assume that it is important to explore the possibilities of a fundamental change in both the structure and content of the disciplines of the psychological and pedagogical cycle. However, this is a rather complex task that will require a long time, thorough discussion, and experimental verification. In the meantime, it is urgent to strive for the development and strengthening of organic interdisciplinary and intra-disciplinary connections (Simić, Purić, & Stančić, 2019) within the disciplines of the psychological and pedagogical cycle. These connections should simultaneously be reflected in the content and methods of educational work with pedagogical personnel.

Psychological and pedagogical training of teachers is a complex multi-level process of multifunctional activity of students, the result of which is the formation of their psychological and pedagogical readiness, which is manifested in the development of special psychological and pedagogical professional competence, psychological and pedagogical literacy, psychological and pedagogical culture of the individual. In the structure of psychological and pedagogical training of teachers, N. Titova distinguishes: basic psychological and pedagogical training (general pedagogical), which involves teaching the basics of didactics and the history of pedagogy, the basics of psychology; classical psychological and pedagogical training, which aims to master future teachers of pedagogical psychology, professional pedagogy and elective courses of a psychological and pedagogical direction (pedagogical imageology , professional mobility, etc.); scientific and research psychological and pedagogical training, which involves work on a course project and a diploma project; functional psychological and pedagogical training; creative psychological and pedagogical training of teachers (Tytova, 2018, p. 200).

Discussion. The problem of optimizing the training of pedagogical personnel in higher education institutions is associated not only with the improvement of all links of the educational process. Pedagogical skills and abilities, the ability to see pedagogical contradictions in the educational process and everyday life are formed only during the continuous professional activity of students. This actualizes the need for early practical training of future teachers, the integration of theoretical knowledge with real situations of educational interaction. That is why not only the approach to studying the holistic educational process itself needs to be revised, but also the renewal of the structure of pedagogical science, which is also characterized by excessive functionalism without sufficient consideration of the needs of the comprehensive development of education seekers, their age and individual characteristics. Modern pedagogy requires a transition from abstract general scientific models to a practice-oriented, activity-based approach based on humanization, subjectivity, reflexivity and empathy in teaching.

The problem of insufficient interdisciplinary integration in the process of teacher training is no less important. A modern teacher must possess not only teaching methods, but also digital skills, communicative flexibility, critical thinking, as well as the ability to self-reflect and stress resistance. This requires changes in the content of training, a transition from template modeling of classes to the use of innovative practices: case methods, simulation games, mentoring sessions, master classes with practicing teachers, internships in the real educational process.

Serious and multifaceted discussion and scientific study of the problems of improving the psychological and pedagogical training of teaching staff should be the focus of attention of both higher education institutions and the scientific pedagogical community. It is important that the update is systemic: ensuring high-quality scientific and methodological support, implementing a competency-based approach, expanding the academic freedom of students and teachers, as well as supporting individual educational trajectories within formal education.

Thus, addressing these challenges requires a strategic vision for the development of pedagogical education, in which a key element will be a personally-oriented, flexible, and practice-integrated system of training future teachers.

Conclusion. Thus, we consider the psychological and pedagogical competence of students of pedagogical specialties as an integrative quality that reflects the formation of a positive attitude

towards education, the presence of formed scientific and theoretical, psychological and pedagogical and didactic and methodological knowledge and skills for their application in the practice of the education system.

Optimization of psychological and pedagogical training of students of higher education institutions involves the development and implementation of specific pedagogical tools and methods, the organization of a complex of their diverse active activities. That is why, when forming the content of training of pedagogical personnel, it is necessary to take into account that:

– the professional competence of teaching staff is determined by fundamental training in the specialty, taking into account modern innovations, and professionally directed psychological and pedagogical training;

– the goal of professional and pedagogical training of teaching staff is consistent with the general goal of professional education, and psychological and pedagogical training is integrated into the system of higher professional education, complementing and developing it;

– the training of pedagogical personnel includes three main components (general cultural, psychological-pedagogical and subject-technical), which necessitate a high level of proficiency in: knowledge of the fundamental foundations, modern achievements, problems and trends in the development of the relevant scientific field of the academic discipline/subject being taught; modern educational technologies; as well as the basics of methodology and methods of scientific research.

Thus, the actualization of the problem of psychological and pedagogical training of pedagogical personnel is due to modern trends in education and requires a serious rethinking of approaches to ensuring and managing the quality of education in higher education. We assume that the system-forming role of psychological and pedagogical knowledge should determine the essence of professional training and retraining of pedagogical personnel for different levels of education.

References:

1. Aleksandrova, N. (2014). Psykholoho-pedahohichna pidhotovka maibutnikh vykladachiv ekonomiky do upravlinnia navchanniam u nepedahohichnomu universyteti [Psychological and pedagogical preparation of future economics teachers for teaching management at a non-pedagogical university]. *Pedagogical discourse*, 16, 9–14 [in Ukrainian].

2. Boichuk, V. M., Boichuk, O. Yu., & Lisova, A. V. (2018). Vzaiemozviazok pedahohiky i psykholohii u osvitnomu protsesi, yak osnova pidhotovky fakhivtsiv [The relationship between pedagogy and psychology in the educational process, as the basis for training specialists]. *Modern information technologies and innovative teaching methods in the training of specialists: methodology, theory, experience, problems*, 51, 353–358 [in Ukrainian].

3. Hvozdetska, Yu. (2023). Psykholoho-pedahohichna pidhotovka pedahohiv profesiinoho navchannia: definityvnyi analiz [Psychological and pedagogical training of teachers of vocational education: a definitive analysis]. *Collection of scientific works of the Uman State Pedagogical University*, 4, 70–78 [in Ukrainian].

4. Homoniuk, O. (2020). Rozvytok psykholoho-pedahohichnoi kompetentnosti vykladachiv zakladiv vyshchoi osvity v umovakh neperervnoi osvity [Development of psychological and pedagogical competence of teachers of higher education institutions in conditions of continuous education]. *Modern Information Technologies and Innovation Methodologies of Education in Professional Training Methodology Theory Experience Problems*, 57, 155–164 [in Ukrainian].

5. Horokhivska, T. M. (2017). Struktura profesiino-pedahohichnoi kompetentnosti vykladacha: teoretychnyi analiz [The structure of professional and pedagogical competence of a teacher: theoretical analysis]. *Updating the content, forms and methods of teaching and upbringing in educational institutions*, 17, 284–288 [in Ukrainian].

6. Zinchenko, S. V. (2017). Rol psykholoho-pedahohichnoi pidhotovky u profesiinomu rozvytku vchyteliv zahalnoosvitnikh navchalnykh zakladiv [The role of psychological and pedagogical train-

ing in the professional development of teachers of general educational institutions]. «*Neperervna osvita novoho storichchia: dosiahnennia ta perspektyvy*»: materialy III Mizhnar. nauk.-prakt. konf. (Zaporizhzhia, 15 travnia 2017). Zaporizhzhia. URL: https://drive.google.com/file/d/0B6Qkn-aQCh-lHUUotc1h1MlQ4d3c/view [in Ukrainian].

7. Naumenko, N. (2024). Suchasnyi stan profesiinoi pidhotovky maibutnikh uchyteliv pochatkovoi shkoly u pedahohichnykh zakladakh vyshchoi osvity Ukrainy [Current state of professional training of future primary school teachers in pedagogical institutions of higher education of Ukraine]. *Scientific Bulletin of the Vinnytsia Academy of Continuing Education. Series "Pedagogy. Psychology"*, 5, 111–115 [in Ukrainian].

8. Nychkalo, N., Lukianova, L., & Khomych, L. (2021). *Profesiina pidhotovka vchytelia: ukrainski realii, zarubizhnyi dosvid: nauk.-analit. dop [Professional training of a teacher: Ukrainian realities, foreign experience: scientific-analytical supplement]*. Kyiv : Vyd-vo TOV «Iurka Liubchenka». 2021. 54 s [in Ukrainian].

9. Stoliarenko, O.V. (2015). *Modeliuvannia pedahohichnoi diialnosti u pidhotovtsi fakhivtsia [Modeling of pedagogical activity in the training of a specialist]*: nav.-metod. posib. Vinnytsia: Nilan-LTD. 196 [in Ukrainian].

10. Tytova, N. M. (2018). *Teoretyko-metodychni osnovy psykholoho-pedahohichnoi pidhotovky maibutnikh pedahohiv profesiinoho navchannia [Theoretical and methodological foundations of psychological and pedagogical preparation of future teachers of professional education]*: monohrafiia. Kyiv: NPU imeni M.P. Drahomanova, 351 [in Ukrainian].

11. Tokareva, N. M. (2013). *Osnovy pedahohichnoi psykholohii [Fundamentals of pedagogical psychology]*: navchalno-metodychnyi posibnyk. Kryvyi Rih, 223 [in Ukrainian].

12. Radkevych, V., Pryhodii, M., Kruchek, V., Voronina-Pryhodii, D., & Kravets, S. (2023). Standardisation of vocational teacher training in Ukraine. *Professional Pedagogics*, 1 (25), 94–102,

13. Simić, N., Purić, D., & Stančić, M. (2019). Motivation for the teaching profession: Assessing psychometric properties and factorial validity of the Orientation for Teaching Survey on in-service teachers. *Psihologija*, 51 (3), 309–331.

APPROACHES TO THE ORGANIZATION OF SOCIAL-PEDAGOGICAL WORK WITH AT RISK AND YOUNG FAMILIES

Ilakha Shikhaliyeva,
PhD in Pedagogy, Senior Lecturer at Baku State University (Baku, Azerbaijan)
ORCID ID: 0000-0002-2476-0421
ilashka.sh@gmail.com

Abstract. The establishment of social-pedagogical practices within the family unit is particularly critical in the context of incomplete and newly formed families. Problematic families, often constituting an extension of young families, tend to carry unresolved challenges, which subsequently become exacerbated over time. This article undertakes an examination of the organization of social-pedagogical interventions in Azerbaijani families, taking into consideration the historical trajectory of family development and the specific issues arising therein.

Drawing on biographical research methods and survey data, the study analyzes the primary contradictions experienced within problematic and young families. The paper further explores the trajectories of modern family formation and delineates the roles of individual family members in maintaining intra-familial relationships in accordance with established social norms and value systems. The character of these relationships is reflected in the psychological attributes and the upbringing of each family member. A considerable body of literature has addressed the impact of these variables on the moral and psychological well-being of the family.

Family typologies are frequently classified according to levels of moral, psychological, and emotional tension, thus differentiating between problematic and functional (or normative) families. Both categories may encompass complete (two-parent) and single-parent households – formed due to spousal death, divorce, or extramarital childbirth, among other factors. By employing the biographical method in the analysis of intra-familial dynamics, it becomes possible to identify potential solutions to existing challenges and to conceptualize future developmental trajectories for such family structures.

The findings indicate that variables such as the spouses' age, their marital experience, and the nature of their premarital conduct significantly influence intra-familial interactions. It is well recognized that public consciousness is shaped by diverse stereotypes and varying societal perceptions. The study investigates attitudes across different social groups towards conflict in young families and, in particular, toward the phenomenon of early marriage. It concludes that one of the principal responsibilities of the social pedagogue is to foster informed and socially responsible attitudes among youth regarding family and marriage, and to facilitate the formation of culturally appropriate normative frameworks.

Key words: family, sociological research, familial contradictions, education and upbringing, social pedagogy, incomplete and young families.

Introduction. In spousal relationships, the principal areas of concern are the upbringing of children and the management of the household budget. These two aspects often constitute the main sources of conflict and discord within the family. The psychology of familial relationships also encompasses the dynamics of dominance and subordination on a psychological level, whereby one family member assumes a leading role in performing familial duties. This dynamic raises important questions regarding leadership within the household. Moreover, such relationships are frequently complicated by traits such as authoritarianism, a desire to dominate one's partner in all matters, cruelty, and, in extreme cases, violence. In some families, mutual respect is not genuine but rather stems from obligatory patience and the acceptance of the authority of the dominant partner. It is important to note that many families do not disintegrate solely due to low income, unemployment, or lack of housing.

Certain individuals possess despotic character traits shaped by their personality and upbringing, which cause significant distress to all members of the family. These families are particularly prone

to breakdown. In such cases, children are often raised without one parent, experience psychological trauma, and are exposed to the long-term adverse effects of this type of upbringing. The psychology of such individuals is shaped by specific temperaments and the stressful family environment in which they were raised. These circumstances frequently result in the formation of psychological disturbances that may require professional intervention by psychologists or therapists.

Degree of Problem Elaboration. Scholars studying the internal problems of incomplete and young families within the framework of social pedagogy primarily focus on analyzing the main directions of social work and the provision of pedagogical and psychological support. Existing research confirms the practical significance of social pedagogy (Special Issue, 2021; Social Pedagogy, 2019; Moss, 2019). Particular attention has been paid to pedagogical work with children (Emma Black, 2017; Engaging, 2023). Additionally, Smith (2019) has examined the object and research areas of social pedagogy from the standpoint of the modern pedagogical paradigm. Other researchers offer reflections on specific events and dynamics within family life. One of the most pressing issues is the escalation of tensions in family relationships, which can culminate in open conflict (Ulviya Tahirgizi, 2014; Shamsaddin Aliyev, 2019). The present research is primarily devoted to the study of incomplete families and families formed through early marriages.

The aim of this study is to investigate the organization of social-pedagogical work in incomplete and young families. **The research methods** include biographical analysis, sociological surveys, and psychological testing.

Features of Social-Pedagogical Work in Incomplete Families. In the context of incomplete families, a sociological survey was conducted using the biographical method to examine the socio-economic issues faced by such family structures.

It can be asserted that a significant number of incomplete families exist globally, including within Eastern societies. Among the families surveyed in 2023, one particular case was identified as a representative example of the broader trends observed in such households; consequently, this family was selected for in-depth analysis. The survey findings suggest that when the head of an incomplete family is a woman, she encounters significantly greater economic difficulties compared to male-headed households. Both our investigation and the survey results indicate that divorce constitutes the primary cause of family incompleteness. The most common underlying factors contributing to divorce include premature entry into marriage, a lack of preparedness among young couples, a mismatch between expectations and socio-economic conditions, as well as substance abuse, particularly alcohol and drugs.

The predominant issue faced by such families is financial instability. A potential solution would require the state to systematically register incomplete families, classify them into relevant categories, and provide targeted financial assistance based on these classifications. Our findings reveal that most incomplete families are headed by women. While these women may successfully assume the role of head of household, the accumulated stress and fatigue associated with fulfilling multiple roles may ultimately lead to the disintegration of the family unit. This situation should be analyzed within the broader framework of societal challenges.

In such contexts, a single parent – often the mother – is responsible for both the education and moral development of her children, with the aim of shaping them into socially valuable individuals. The success of this endeavor has the potential to alter societal attitudes and reduce the stigma often attached to single-parent families. Emotional and moral support should be provided by friends, relatives, close acquaintances, and, where appropriate, professional social workers. Only through such comprehensive support can both minor and major challenges be addressed, and these families successfully reintegrated into society.

There are numerous categories of individuals living in difficult circumstances, among whom women represent a particularly vulnerable group. One of the surveys was conducted with a partic-

ipant referred to as Ms. Sevil (a pseudonym). Based on the results, she responded affirmatively to approximately 80% of the questions and negatively to the remaining 20%. While she found some of the questions straightforward, others proved more challenging and required considerable thought. Her responses revealed that the primary sources of distress in her life were domestic in nature – specifically, verbal abuse from her spouse and a difficult relationship with her mother-in-law. One of the most difficult questions for her to answer was whether she wished to pursue a divorce or had already decided to do so. She hesitated considerably before responding, suggesting that her reluctance was closely tied to her concern for her only son, whom she appeared to envision during that moment of reflection.

In 1987, Sevil's father was struck by a severe illness, which left him bedridden for several years. As Sevil was the only child in the family, the burden of caring for the household fell entirely on her. She was forced to work day and night to support the family. After her father's death, Sevil went through a period of deep shock that lasted for several months. During this time, Armenian forces occupied several of our regions. Sevil's mother, Sevda, went missing during the war. Sevil began searching for her mother, but despite her efforts, she was unable to find her. This marked the beginning of Sevil's most difficult life circumstances. With no support from her relatives, Sevil was compelled to face these challenges alone. Although she initially found work, she soon lost her job again and moved to Baku. There, she met a man named Adil, and after several months of acquaintance, Adil decided to marry her in 1997, when she was 27 years old. The hardships Sevil faces today stem from both financial struggles and the indifference of her family, especially her husband.

Sevil believed that if they divorced, their children would suffer even more. Her difficulties were compounded by the loss of her father, the head of the family, which forced her to work from an early age. However, she encountered difficulty finding stable employment because she lacked higher education, which prevented employers from hiring her. One of the questions I asked her was whether, during the times when she was subjected to violence by her husband, she had ever demanded her rights. She responded with a "no".

In fact, it is not only Sevil, but every woman who suffers from abuse, violence, or the violation of her rights, who should seek protection through family courts. The state plays a crucial role in representing and assisting such individuals. The government must provide social support to families with low or no income and establish systems of assistance to address their needs. Furthermore, job opportunities should be created for women to empower them economically, educate them, and ensure that their rights are not violated. In conclusion, the primary cause of Sevil's difficulties appears to lie in the struggles within her own family. While Sevil worked hard and established a family, women should avoid rushing into marriage. Instead, they must think carefully and make informed decisions, as hasty choices can lead to significant consequences, even divorce.

Sevil married Adil, and in 1999, they had a child, whom Sevil named after his father. However, over time, the pressure from Adil's family became unbearable for Sevil. She confided in Adil about everything that was happening, and they decided to move out of his family's house. A few days later, Adil took Sevil and their son Mahir, and they rented a new place to live. After a few years of renting, Sevil's husband became addicted to alcohol, coming home drunk every day and spending all his earnings on alcohol.

Sevil became increasingly distressed by Adil's behavior. Adil would return home intoxicated every day, subjecting Sevil to physical and verbal abuse, including insults and beatings. After enduring this for some time, Sevil reported Adil's conduct to his parents. They visited to assess the situation firsthand, and, as a result, Sevil relocated to her father-in-law's household. However, after a period of time, Adil's mother, Narmin, failed to establish a harmonious relationship with Sevil and treated her poorly, which led to frequent disputes between them. Meanwhile, since Adil was undergoing treatment at home, no one in the household was employed. Sevil's mother-in-law coerced her into seeking

employment. Reluctantly, Sevil resumed work, leaving her only child at home. She would only see her son in the mornings and evenings. Although Adil expressed a desire to work to support the family, Narmin would continually fabricate excuses to prevent him from doing so.

This narrative is just one example of the hardships faced by Sevil. It illustrates the reality of countless women enduring similar difficult circumstances. Addressing these challenges necessitates the concerted efforts of both the family unit and the state. The improvement of women's living conditions has become a central component of the Azerbaijani government's socio-economic policies, as outlined in the presidential decree.

Since 1993, the Committee on Women, Family, and Children under the President of Azerbaijan has worked to advance the goal of equal rights and opportunities for both men and women. This committee has played a pivotal role in the formulation and regulation of state policies aimed at enhancing the status of women, safeguarding families, and addressing demographic challenges within the country. In addition, a committee dedicated to women and family affairs has been established within the National Assembly.

As is widely acknowledged, achieving an ideal family dynamic is a challenging endeavor, and conflicts often arise within modern families, leading to the disintegration of family structures. Consequently, the concept of dysfunctional families, including incomplete families, has emerged. Incomplete families are typically composed of either a single parent (either the father or the mother) and children. Such families may be fatherless or motherless, which presents distinct difficulties. It is well-established that the family plays a crucial role in the formation of a child's personality. The family exerts diverse influences on a child's development. To study the socialization of children in incomplete families, we conducted an investigative study with a family that had experienced the loss of its head, specifically the father. The family in question consists of Mahbuba Hasanova, who lost her husband five years ago, and her 12-year-old daughter, Aynur Hasanova. From our conversation with Mahbuba, it became apparent that she had experienced significant hardship following the loss of her husband, and this event created numerous challenges for her. When her husband passed away, her daughter was only seven years old.

As the new school year approached, Mahbuba began baking bread at a bakery to generate income for her daughter's school supplies, such as notebooks and pens. Despite earning a modest salary, she managed to send her daughter to school and purchase the required materials. Mahbuba commented that, due to financial constraints, she was often forced to buy cheaper and lower-quality items for her daughter compared to her peers. She could not afford to replace her daughter's shoes each year, which contributed to a sense of inadequacy. This situation engendered feelings of shyness and self-consciousness in her daughter, particularly in social settings. When I inquired about her daughter's behavior in school and among her peers, Mahbuba explained that Aynur frequently felt embarrassed to attend school due to her old schoolbag and worn-out clothing.

Often, students participate in field trips; however, Aynur is unable to join due to financial constraints. Consequently, she experiences challenges in her personal development, becoming increasingly disadvantaged when compared to her peers. The research conducted with Mahbuba Hasanova reveals that children raised in incomplete families exhibit significant differences from those in complete families. These children, in particular, tend to develop a pronounced lack of self-confidence, resulting in diminished self-esteem. During our conversation with Mahbuba's daughter, Aynur Hasanova, it became evident that she exhibited signs of apprehension, with a noticeable hesitancy and lack of assertiveness in her speech.

Such circumstances must be addressed to prevent further psychological and emotional harm. It is imperative that children are integrated into society and provided with the opportunity to develop diverse skills. Specialized seminars should be established for children from incomplete families, where they can be educated about the fact that their situation is not something to be ashamed of. These

children should be assured that they have no reason to feel embarrassed. The state must direct focused attention to supporting these families. Pension programs should be introduced, ensuring timely and consistent financial support for the families in need. In these families, it is crucial that both parents express love and affection to their children, as they are often deprived of one parent's emotional support. At the very least, the absence of one parent should not be made apparent to the child. Children growing up in such families often exhibit signs of aggression, anxiety, and difficulty in engaging socially with their peers. These children should be referred to specialized psychological services; however, considering the financial limitations of many families, it is essential that the state assumes responsibility for providing such support.

Considering Azerbaijan's integration into Europe and the ongoing technological revolution, the presence of these social issues raises significant questions about their validity in contemporary society. In traditional family structures, there is often a desire for male children as the heirs. Another issue pertains to the strained relationships between family members. The quality of intra-family relationships plays a crucial role in the future upbringing of children, which cannot be overlooked.

Additionally, grandparents often play a pivotal role in child upbringing, particularly in younger families that may not yet possess the capacity for independent decision-making. Overcoming this obstacle is essential for their well-being and development. Social educators working with these families must assist in alleviating emotional distress and promoting the importance of unity in addressing personal and social challenges. Only through collective effort can many of these issues be resolved.

The second family under study resides in rented accommodation and has not yet acquired personal property. This family consists of one child, and both parents are employed. However, their relationship can be characterized as dysfunctional. The parents, aged 26 and 24, have been together for five years, but their relationship is hindered by numerous issues that prevent them from living a harmonious life. The problems in their romantic relationship stem primarily from communication difficulties, mutual misunderstandings, and personality conflicts. The wife works long hours, leaving her unable to complete household tasks. When the husband arrives home earlier than his wife, he complains about the lack of food, the poor state of the house, and the neglect of household duties, which subsequently leads to frequent arguments.

From these examples of families in need of social-pedagogical support, it is clear that the life trajectory of each family is shaped by the experiences and circumstances of its members. Assistance for such families must be provided within the framework of social policies, with social-pedagogical support delivered by local governing authorities.

Now, let us explore the role of social pedagogues in addressing conflict within young families and how they can contribute to resolving these challenges.

It is widely acknowledged that the characteristics of family formation are influenced by both cultural traditions and contemporary societal conditions. Given the significant role of public opinion in this regard, it is evident that the study of these factors holds considerable scientific and practical importance. The survey in which the author participated was conducted in 2022 across various regions of the republic, including Baku. The author directly contributed to the survey among students and faculty members at Baku State University. Analysis of the collected data has revealed several pressing issues that remain unresolved.

Initially, the perspectives of respondents from the Lankaran-Astara region (comprising a total of 15 families) were considered. The average age at marriage in this group is between 15 and 16 years. The period of acquaintance prior to marriage is notably brief, ranging from 2 to 3 months up to half a year, with 80% of the cases falling within this timeframe. Consequently, such marriages tend to occur rapidly, with the predominant influence stemming from the parents and other relatives.

Among the most significant factors influencing the desire to marry (as outlined in the questionnaire, which identified 11 key factors), the following were identified:

1. Adherence to cultural customs and traditions (i.e., the practice of marriage) (12 respondents);
2. The fiancé's ownership of a house or apartment (14 respondents);
3. The aspiration to be respected by others (13 respondents);
4. The financial stability of the future spouse (11 respondents);
5. The desire to have children (7 respondents).

Secondary factors, considered less significant, include the desire to attain personal independence (6 respondents) and the wish to align with the intentions of relatives (3 respondents). Among the reasons linked to the desire for marriage, factors such as mutual understanding, psychological support, the desire for a safe haven, the anticipation of a child's birth, the wish to express care and affection toward a loved one, and the fear of solitude were only marginally indicated (1 respondent). Notably, the desire for children was not mentioned as a factor by any respondent. These variables may have varying degrees of influence on family tensions.

Thus, the intention to marry primarily originates from cultural customs and traditions, reflecting respondents' tendency to express and affirm their ethnic identity. It is important to note that, in such cases, the need for self-expression and personal identification is often relegated to a secondary status.

Social changes also have an impact on parent-child relationships, with only half of the survey participants indicating a willingness to regard their parents as role models. A sense of jealousy is also evident, as the mothers of the surveyed girls married at the age of 18–19, slightly later than the marriage age of the respondents themselves.

The survey participants reported that the ideal age for girls to marry is between 18 and 21 years (14 respondents), while for boys, it is between 20 and 24 years (14 respondents), with the more preferred age being 22 or older.

The reasons for family formation, both in alignment with tradition and the financial status of a future spouse, also influence the social value of the family. Respondents were asked questions regarding family and its social prestige. The following responses were most frequently noted (both positive and negative):

1. Positive qualities associated with family formation:
• Escape from loneliness (11 respondents);
• Childrearing and providing care for children (15 respondents);
• Mutual understanding, psychological support, and kindness (11 respondents);
• The ability to remain true to oneself within the family (6 respondents);
• The family as a means to achieve personal success and create one's life path (13 respondents);
• The family as the greatest source of comfort in life (13 respondents).
• As indicated by the responses, participants do not consider loneliness a significant issue, as they are surrounded by their relatives and loved ones.

2. Negative views on family life, with relatively higher ratings for the following:
• Family as the loss of personal freedom and individual identity (6 respondents);
• Family as a burdensome, tedious, and monotonous domestic task (6 respondents);
• Family as a painful and weak phase in one's life (2 respondents);
• Family as a setting where one experiences more loneliness and a lack of mutual understanding (2 respondents);

The greatest regret stems from one's family life (1 respondent).

It is evident that the primary concerns are the restriction of personal self-expression and the demands of domestic labor. The highest values are placed on the birth and upbringing of children, followed by the comfort provided by the family and the attainment of personal goals. These values form the core of Azerbaijani cultural mentality, as well as that of individuals residing in the aforementioned region. These values are also reflected in the ideal family size, which ranges from 2 to 6 children, with the most common answers being two children (5 respondents) and four children (6 respondents).

Young families still require parental support: only one-third of the survey participants (6 respondents) expressed a desire to distance themselves from their parents. An approximately equal number of respondents considered cohabitation with parents acceptable, a practice in line with traditional norms in the region. This preference is primarily based on the assistance that parents can provide in the upbringing and care of children.

As in other regions of our republic with a Muslim population, premarital sexual relations are prohibited, a sentiment confirmed by the responses of the survey participants. The primary sources of information regarding intimate life for the respondents were their peers and literary works; overall, there is a noticeable lack of formal sexual education in the process of awareness-raising.

Individuals who marry at an early age often express that they are not adequately prepared in certain areas:
• Financially supporting the family, i.e., working (14 respondents);
• Organizing the family's leisure time and entertainment (13 respondents);
• Establishing professional relationships with others (for the purpose of assisting the family) (14 respondents);
• Resolving conflicts within the family (12 respondents).

However, there are specific tasks with which they feel more confident, such as performing household chores, caring for infants, establishing positive relationships with their spouse's parents, fulfilling the role of a mother, attuning to their spouse's emotional state, and generally possessing the skills and qualities necessary to be a competent housewife and partner.

All of these characteristics are developed prior to marriage, primarily through the internalization of societal stereotypes and the acquisition of essential skills via upbringing. Broadly speaking, two primary educational pathways can be identified: nurturing delicacy in girls (the ability to be a good mother and spouse), and fostering generosity in boys (the qualities of providing for, protecting, and organizing the family).

The living standards of young families align closely with those of the broader population. The family budget is primarily composed of the husband's income and financial assistance from the parents.

In addition, we sought to explore the family-related skills of both husbands and wives, particularly in areas such as child-rearing. Women placed high value on their ability to care for children (11 respondents), whereas they reported a lack of such ability in their husbands (11 respondents rated their husbands' ability as 2 or 3, and at best 4 out of 5). Women were also more knowledgeable about the developmental characteristics of children under the age of three. Nevertheless, both men and women exhibited a comparable level of knowledge concerning the psychology of sexual relationships and the physiological characteristics of women.

The dominance of patriarchal attitudes within the family is further evidenced by the fact that girls rarely (and sometimes never) discuss certain issues among themselves – such as the relationships between boys and girls, sexual development, intimate relationships between spouses, the distribution and management of the family budget, the division of roles within the family, and conflict situations. In such instances, mothers are typically consulted, particularly with regard to matters concerning sexual development (10 respondents), intimacy issues (7 respondents), and family conflicts (10 respondents).

Parents of girls who marry at an early age are primarily employed in the agricultural sector. The educational level of the mothers is slightly higher than that of their daughters: 12 mothers have a general secondary education, one has higher education, one has incomplete secondary education, and one possesses a vocational education. Among the fathers, three have a secondary education, three have vocational education, and six have higher education. Of the girls who marry early, ten have completed primary education, and five have incomplete secondary education.

The atmosphere in the households to which these girls move is generally viewed positively. The girls rate the relationships between their parents (husband and wife) and between parents and children highly. However, the relationships among the children themselves are not rated as highly, which seems to reflect the daughters-in-law's own perspectives and lower social status. In terms of managing daily expenses, in 5–6 families, the husband handles the matters alone, while in the remaining families, both spouses are involved in decision-making. In most instances, both the husband and wife are actively engaged in child-rearing and organizing leisure activities.

The material well-being of these families is generally considered average. Notably, the monthly income of families on the girls' paternal side ranges from 150 to 500 manat, with one exceptional family reporting a monthly income of 1000 manat.

In 11 families, marriages are formally registered, while 4 families have religious marriages. As mentioned previously, girls typically marry after the birth of their first child to ensure the child bears the father's surname. All of the women who are married express confidence in their husbands' compassion, mercy, and commitment, believing that their husbands will not abandon them during difficult times or infringe upon their rights. Some of the respondents also place their trust in their relatives. Notably, official marriage contracts are not commonly signed in this region.

Household responsibilities and child-rearing duties prevent women from pursuing further education. Some women have even expressed a lack of interest in studying further. A primary reason for this is the indifference shown by their husbands towards their educational pursuits. In these families, women's leisure time is virtually nonexistent. The majority of their free time is spent socializing with neighbors, engaging in phone conversations, or occasionally visiting relatives.

The decision to marry was made voluntarily by the girls (it is evident that they had been preparing for this decision over several years; in the survey, only three respondents had raised doubts over time). This decision to establish a family positively impacted the atmosphere in the girls' parental homes: financial conditions improved (reported by 4 respondents), and familial harmony was restored (reported by 10 respondents).

Among the families participating in the survey, mutual understanding prevails. In cases of tension, only in four families were the husband's parents blamed, while 11 respondents attributed the cause of conflict to themselves. In most instances, no conflicts arise. However, 6 women reported being subjected to physical abuse, and 9 women acknowledged having been verbally insulted.

Regarding the health of the women, it was found that the most significant complaints to doctors occurred during childbirth, indicating that maternity hospitals and gynecological consultations in the region are inadequate. Overall, the women reported being in good health and currently experiencing no health problems, with childbirth and child-rearing being the primary factors that have negatively impacted their health.

Turning to the issue of early marriage in the suburbs of Baku, it was found that husbands and wives typically knew each other from a young age, having attended the same school (with the exception of one couple who had known each other for only 1–2 years before marriage). The community lifestyle in these areas naturally facilitates such acquaintances. The key factors influencing the desire to marry include: the desire for children (25 respondents), tradition (23 respondents), fear of loneliness (19 respondents), gaining respect from others (12 respondents), and the financial stability of the future husband (21 respondents).

These responses align closely with those provided by other groups.

For approximately half of the survey participants, parents serve as role models in both life and family matters, a trend consistent with other groups. Regarding the bride's age at the time of marriage, six participants reported being under 18 years of age, three reported ages between 18-19, and 14 indicated an age range of 20–21. The groom's age was reported as considerably lower: five par-

ticipants were under 18, 11 were between 18–19, and five were in the 20–21 age range. In contrast, other groups report a relatively higher age for the groom.

When questioned about family characteristics, several notable points emerged. The majority of participants expressed satisfaction with the positive aspects of family life, including child-rearing, escaping loneliness, and mutual understanding. However, the evaluation of family relationships was somewhat less favorable. A clear decline in the appreciation of family values was observed, and these values appeared to be increasingly disregarded.

Another prominent feature is the high expectation regarding the number of children. Five participants indicated a desire for one child, three desired two children, five wanted three children, and 12 aspired to have four children. These numbers surpass even those of the Lankaran-Astara region, which traditionally exhibits a high number of children per family.

As seen in other groups, the preference is for newlywed couples to initially live with their parents. After having children, they typically wish to remain within the same neighborhood or community, and this often becomes the reality.

In line with previous groups, pre-marital sexual relations are considered unacceptable, with only one out of 25 participants supporting such relations. The norms governing male behavior differ significantly, as these prohibitions do not apply to men and are, in fact, regarded as natural. The majority of men gain their understanding of intimate relationships primarily through mass media and literature.

Ultimately, family life education focuses on caring for children, cultivating a positive moral-psychological atmosphere within the family, and developing the skills necessary to fulfill parental duties. The upbringing prior to marriage emphasizes seriousness and purity. Discussions about relationships between fathers and women are generally avoided.

Among the fathers of girls who marry early, five are farmers, 19 are laborers, and one is a servant. The mothers are homemakers. Therefore, the overall conclusion is that early marriages are more prevalent in working-class and peasant families, typically within social classes with average or below-average living standards. The overall level of education is also low. Among the women who marry early, five have completed primary education, 19 have incomplete secondary education, and one has completed secondary education. Some later found opportunities to pursue further education and graduated from university. Among the mothers of these girls, one has completed primary education, and 24 have incomplete secondary education. The fathers' educational levels are similarly low: 15 have completed primary education, and 10 have completed secondary education.

The division of roles within the family (family budgeting, organization of leisure time and rest, and involvement in child-rearing) is generally balanced. It appears that the urban environment has a positive influence on this process.

Eight participants had their marriages officiated by a mullah, while the remaining individuals formalized their relationships at the Civil Registry Office (BBAĞ). In contrast to previous groups, five participants also signed a marriage contract, reflecting the impact of urbanization. Those who did not sign the contract rely on the benevolence of their husbands and the assistance of relatives.

Unlike in previous groups, some participants had the opportunity to further their education (approximately 10 individuals). They broadened their worldview and social interactions by watching television programs, listening to the radio, and visiting the homes of friends and acquaintances.

The parents were positively influenced by the fact that these girls formalized their marriages, as adhering to traditions is seen as a means of enhancing prestige and social status in the eyes of other families. The girls were often persuaded to marry over extended periods (21 participants), while two participants were not even asked for their consent. Only one participant stated that she married by her own choice.

In instances of conflict within the young family (in contrast to the previous group), the blame is attributed to all family members, including the mother-in-law and father-in-law (6 participants), the

husband (3 participants), the bride herself (6 participants), and the husband's other relatives (5 participants). The bride is sometimes subjected to verbal abuse (15 participants), physical violence (5 participants), and shouting (1 participant).

This group of survey participants also belongs to the lower economic strata, with monthly incomes ranging from 50 to 200 manat. While health complaints are generally rare, it is noted that health issues arose after marriage, particularly following childbirth. The participants are aware of sexually transmitted diseases (e.g., AIDS, gonorrhea, fungal and viral infections).

Conclusion. The analysis of both types of families reveals that the challenges they face are of a socio-economic, moral-cultural, and socio-psychological nature. Addressing these issues requires the support of relevant state institutions, family members, and specialists in social pedagogy, social work, and psychology. In-depth research should be conducted to explore these matters, and public opinion should be shaped accordingly.

References:
1. Ülviyyə Tahirqızı. Ailədaxili münaqişələr. Xalq Cəbhəsi. 2014. 13 mart. – S. 13. // https://anl.az/down/meqale/
2. Şəmsəddin Əliyev. Ailədəki münaqişələr, zorakılıqlar və problemlər. https://azpolitika.info/?p=777320
3. Engaging with families of children with disability: ECEC practice guide // URL: https://www.edre-search.edu.au/guides-resources / (date of access: 28.04.2025).
4. Smith, M. K. (2019) 'Social pedagogy' in The encyclopedia of pedagogy and informal education [https://infed.org/mobi/social-pedagogy-the-development-of-theory-and-practice/. Retrieved: 24.03.2025].
5. Moss P. and Petrie, P. (2019) 'Education and social pedagogy: What relationship?'. London Review of Education, 17 (3): 393–405. DOI https://doi.org/10.18546/LRE.17.3.13
6. Emma Black, Michael Bettencourt and Claire Cameron. Social Pedagogy in the Classroom. Supporting Children and Young People in Care. https://sppa-uk.org/wp-content/uploads/2017
7. Social pedagogy as a meaningful perspective for education and social care. Published 2019 by ThemPra Social Pedagogy, 66 Maes Hyfryd, Beaumaris, Anglesey, LL58 8HN, United Kingdom. https://www.thempra.org.uk/wp-content/uploads/2019/05
8. Special Issue: Social pedagogical work with children, youth and their families with refugee and migrant background in Europe. An International Journal of Social Pedagogy special issue. 2021. https://www.scienceopen.com/collection

INTEGRATING INTERCULTURAL PRAGMATIC COMPETENCE INTO UNIVERSITY BUSINESS ENGLISH TEACHING: CHALLENGES AND PEDAGOGICAL DIRECTIONS

Tetiana Stepykina,
Doctor of Philosophy, Associate Professor
Associate Professor at Roman and German Philology Department of Luhansk Taras Shevchenko National University (Poltava, Ukraine)
ORCID ID: 0009-0003-5451-236X
Email: ts3603@gmail.com

Abstract. In today's globalized business environment, linguistic accuracy alone no longer suffices for professional success. University Business English instruction must also cultivate intercultural pragmatic competence – the ability to communicate effectively and appropriately across diverse cultural contexts. Despite this necessity, current curricula often neglect this dimension. This article investigates the extent to which Business English instruction at Ukrainian universities incorporates intercultural pragmatics. Adopting a mixed-methods approach, the study combines textbook analysis and instructor interviews to evaluate the treatment of pragmatic elements. Results reveal a consistent lack of explicit instruction, underprepared educators, and an overreliance on supplementary materials. Teachers recognize the importance of pragmatic competence but lack adequate training and institutional support. The study analyzed 45 tasks across three commonly used textbooks and interviewed ten instructors at public and private universities in Ukraine. The article concludes with pedagogical recommendations including pragmatic task integration, use of authentic discourse, and teacher development programs.

Key words: Intercultural pragmatic competence, Business English instruction, university language education, textbook analysis, language teacher perceptions, communicative competence, pragmatics in language pedagogy.

Introduction. In today's globalized economy, the ability to communicate effectively across cultures has become a critical skill for business professionals. English, as the lingua franca of international business, serves not only as a means of conveying information but also as a medium through which cultural norms, expectations, and values are negotiated. Therefore, teaching Business English at the university level must go beyond vocabulary and grammar to include intercultural pragmatic competence – the ability to use language appropriately in various cultural and professional contexts. This competence encompasses understanding speech acts (such as requests, refusals, apologies), politeness strategies, indirectness, and context-sensitive communication styles. However, research and practical experience suggest that this crucial dimension is frequently overlooked or insufficiently addressed in university curricula worldwide, including in Ukraine.

Many Business English programs remain primarily product-oriented, emphasizing correct language forms, fixed genres such as business letters or presentations, and general communication skills. While these components are necessary, they do not fully prepare learners for the subtle pragmatic demands of real-world business interactions, where success often depends on the ability to navigate implicit meanings, cultural expectations, and face-saving strategies. This gap can lead to misunderstandings, perceived rudeness, or ineffective negotiation outcomes, especially in intercultural settings.

Scholars in applied linguistics and intercultural communication (Kádár & Haugh, 2013; Bhatia, 2008; Mauranen, 2012) argue for more explicit integration of intercultural pragmatics into language education. However, existing studies reveal that Business English teaching often treats pragmatics implicitly or relegates it to informal teacher-led discussions rather than systematic curriculum con-

tent. Furthermore, instructors frequently report a lack of training and resources to effectively teach these pragmatic aspects.

This study addresses this gap by investigating the extent to which intercultural pragmatic competence is integrated into Business English instruction in Ukrainian universities. Combining qualitative content analysis of popular textbooks with semi-structured interviews of experienced instructors, the research aims to uncover current practices, challenges, and potential improvements. The findings seek to contribute both to the theoretical understanding of pragmatic competence in language education and to practical recommendations for curriculum design and teacher development. Ultimately, this study responds to the urgent need to prepare students for the communicative complexities of the international business world, equipping them not only with linguistic skills but with cultural and pragmatic awareness essential for professional success.

Research Aim and Objectives. In the context of globalization and the growing intercultural nature of professional communication, intercultural pragmatic competence has become a crucial skill for business professionals worldwide. This competence involves the ability to appropriately use language in culturally diverse settings, considering politeness norms, speech acts, indirectness, and contextual appropriateness (Kádár & Haugh, 2013: 19). Despite its importance, many university-level Business English programs focus primarily on linguistic accuracy and specific genres (e.g., emails, presentations), often neglecting the nuanced pragmatic aspects that influence successful communication in international business environments (Bhatia, 2008: 132; Mauranen, 2012: 83).

The main aim of this study is to critically evaluate the extent to which intercultural pragmatic competence is integrated into Business English curricula at Ukrainian universities and to suggest pedagogical improvements based on empirical data and theoretical insights. This aim aligns with prior calls from applied linguistics scholars who emphasize the need for a shift from purely linguistic instruction toward pragmatic and intercultural competence development (Cogo & Dewey, 2012: 49; Spencer-Oatey, 2008: 73).

To fulfill this aim, the study articulates several interrelated objectives:

1. To examine the representation of pragmatic elements in widely used Business English textbooks. Textbooks remain foundational in shaping course content and learning experiences, as noted by Bhatia (2008: 134), who highlights how genre-based materials influence learners' discourse skills. This objective involves a detailed content analysis focusing on how textbooks handle speech acts (such as requests, refusals, and apologies), politeness strategies, and cultural variation in communication styles. For example, prior research by House (2008: 360) shows that neglecting indirectness and politeness in language teaching leads to pragmatic failures in real-life communication. Understanding textbook content will reveal whether such critical pragmatic elements are explicitly taught or merely implied, informing curriculum design needs.

2. To explore Business English instructors' perceptions and practices related to teaching intercultural pragmatic competence. As teachers mediate between curriculum and learners, their attitudes and competences heavily influence instructional quality (Canagarajah, 2006: 15). This objective involves semi-structured interviews with experienced instructors to gather qualitative data on their understanding of pragmatics, the challenges they face, and how they integrate pragmatic content into lessons. Previous studies (e.g., Jenkins, 2007: 45) emphasize that teachers often feel underprepared for addressing intercultural communication challenges, which can limit students' pragmatic competence development.

3. To identify barriers that hinder the effective teaching of intercultural pragmatics. Constraints such as insufficient materials, lack of institutional support, and limited teacher training are frequently reported in language education literature (Mauranen, 2012: 88; Spencer-Oatey, 2008: 76). By analyzing interview data and textbook content, the study aims to pinpoint specific obstacles in the Ukrainian university context. This will enable the formulation of targeted recommendations to overcome such challenges.

4. To propose pedagogical strategies for integrating intercultural pragmatic competence into Business English instruction. Drawing on findings and relevant theoretical frameworks (Halliday, 1994: 25; Kádár & Haugh, 2013: 105), the research advocates for explicit inclusion of pragmatic elements through authentic business discourse, reflective tasks, and intercultural role-plays. Teacher training is also highlighted as essential for equipping educators with practical tools and confidence to teach pragmatics (Spencer-Oatey, 2008: 80). These pedagogical directions are in line with Bhatia's (2008: 138) emphasis on contextualized, genre-aware instruction that bridges theory and practice.

In sum, these objectives are interwoven to offer a comprehensive examination of how intercultural pragmatic competence is currently addressed in Ukrainian university Business English teaching and how it can be enhanced. By focusing on both materials and instructor perspectives, the study aims to contribute to the growing field of pragmatic competence research and provide actionable recommendations for language education practitioners. This aligns with the global trend toward developing communicative competence that fully integrates linguistic, pragmatic, and intercultural dimensions, thus preparing students for effective participation in international business contexts (Cogo & Dewey, 2012: 52; Canagarajah, 2006: 18).

This study adopts a mixed-methods research design, primarily qualitative in nature, aimed at thoroughly investigating the integration of intercultural pragmatic competence within university-level Business English teaching in Ukraine. The mixed-methods approach, combining textbook content analysis and semi-structured interviews with Business English instructors, provides a comprehensive understanding of both the curriculum content and pedagogical practice. Such a design is widely recognized for its strength in triangulating data to increase validity and depth of insight (Creswell, 2014: 219–221).

Sampling and Data Sources

The materials for textbook analysis were selected based on a preliminary survey of Business English instructors from various Ukrainian universities. Three widely used textbooks were chosen for this purpose: *Market Leader (Intermediate)*, *Business Result (Upper-Intermediate)*, and *Intelligent Business (Advanced)*. These textbooks represent the predominant teaching resources in Ukrainian higher education Business English courses. A total of 45 tasks and exercises related to communicative competence were analyzed, with particular focus on those targeting pragmatic skills such as speech acts, politeness strategies, and cultural communication variations.

The interview sample comprised ten Business English instructors with at least five years of teaching experience, drawn purposively from both public and private universities to ensure a diversity of institutional contexts and pedagogical styles. Semi-structured interviews allowed for in-depth exploration of instructors' perceptions regarding the role of pragmatics in their courses, their instructional methods, textbook utilization, and the challenges they face in teaching intercultural pragmatic competence.

Data Collection Procedures

Content analysis was applied to textbook materials using a qualitative approach to examine not only the frequency but also the depth and contextualization of pragmatic elements embedded in learning tasks (Krippendorff, 2013: 24–29). A coding scheme was developed based on established frameworks by Kádár and Haugh (2013: 65–73) and Spencer-Oatey (2008: 112–117), categorizing speech acts, politeness phenomena, and cultural strategies present in the textbook content.

Interviews were audio-recorded with participants' consent, transcribed verbatim, and subjected to thematic analysis following Braun and Clarke's (2006: 79–81) six-phase process. This approach enabled identification of patterns and themes related to pragmatic teaching practices, perceived importance, and encountered obstacles. Data triangulation through cross-comparison of interview findings and textbook analysis enhanced the reliability and richness of the study's conclusions (Denzin, 1978: 307–311).

Data Analysis

Quantitative descriptors such as the percentage of textbook tasks containing pragmatic components were calculated to provide an overview of content emphasis. Qualitative data were analyzed both deductively, using predetermined thematic categories related to intercultural pragmatics, and inductively, allowing novel themes to emerge from the data (Thomas, 2006: 238). Basic descriptive statistics were employed to characterize the teaching sample, including years of experience and frequency of textbook use, with correlation analyses conducted to explore relationships between variables such as instructor experience and pragmatic content utilization.

Ethical Considerations

The research received ethical approval from the university's institutional review board. Participants provided informed consent and were assured anonymity and confidentiality. All interview data were securely stored in encrypted digital files accessible only to the research team. Participants retained the right to withdraw from the study at any time without penalty.

Textbook Analysis Results

The qualitative content analysis of the three widely used Business English textbooks – *Market Leader* (Intermediate), *Business Result* (Upper-Intermediate), and *Intelligent Business* (Advanced) – revealed a consistent pattern of limited and implicit treatment of intercultural pragmatic competence. Despite the recognized importance of pragmatic awareness in professional communication (Kádár & Haugh, 2013: 19), the textbooks primarily emphasize linguistic accuracy, vocabulary building, and fixed discourse genres such as emails, reports, and presentations, often at the expense of pragmatic skills essential for effective intercultural interaction.

Among the 45 communicative tasks examined, only six (13.3%) explicitly engaged learners in pragmatic reflection or practice. For example, in *Market Leader*, the section on business meetings includes role-play simulations designed to practice negotiating strategies. However, these activities focus on the transactional content rather than the pragmatic nuances of politeness, indirectness, or face-saving strategies critical in cross-cultural negotiation contexts (Bhatia, 2008: 132). Similarly, *Business Result* offers guidelines on email etiquette, but these are culturally neutral and lack explicit discussion of pragmatic variation, such as differences in directness or mitigating language between English and other cultures (Mauranen, 2012: 85).

Intelligent Business, while providing advanced vocabulary and complex financial terminology, seldom addresses intercultural pragmatic misunderstandings, which are frequently reported as a major challenge in global business communication (Cogo & Dewey, 2012: 49). The analysis showed that pragmatic features such as speech acts (requests, refusals, apologies), politeness markers, and indirectness strategies are mostly implicit or absent. For instance, tasks requiring refusal of a request are scripted in a direct manner, ignoring culturally appropriate mitigation or softening strategies recommended in intercultural pragmatics literature (Spencer-Oatey, 2008: 61).

Moreover, the lack of reflection prompts and explicit teaching materials means learners rarely engage in metapragmatic awareness – an essential step for developing intercultural pragmatic competence (House, 2008: 360). This absence suggests a gap between current pedagogical materials and the demands of real-world business communication where pragmatic competence determines the success of interactions (Jenkins, 2007: 54).

In sum, the textbook analysis confirms prior research emphasizing the need for pragmatic-focused pedagogical approaches in Business English (Kádár & Haugh, 2013; Bhatia, 2008). The limited inclusion of pragmatic content reflects a broader tendency within language teaching to prioritize grammatical accuracy and genre conventions over the socio-pragmatic skills necessary for authentic international business communication (Canagarajah, 2006: 12).

Instructor Interview Results

The semi-structured interviews with ten Business English instructors from various Ukrainian universities revealed a strong awareness of the importance of intercultural pragmatic competence in professional communication, alongside significant challenges in its effective integration into teaching practices.

Lack of Explicit Teaching Materials

A dominant theme was the instructors' perception of insufficient and inadequate textbook support for pragmatic instruction. Many participants reported that the textbooks used in their courses focus predominantly on grammar and vocabulary, providing limited or no guidance on pragmatic aspects such as politeness strategies, speech act variation, or cultural norms of communication. As one instructor noted:

"The books cover grammar and business vocabulary well, but there is no clear instruction on how to handle indirect refusals or polite disagreement in different cultures. We have to create these lessons ourselves." (Instructor 3)

This observation aligns with findings from the textbook analysis and resonates with prior studies emphasizing the scarcity of pragmatic content in Business English materials (Mauranen, 2012: 86; Kádár & Haugh, 2013: 21).

Reliance on Supplementary and Authentic Materials

Due to these gaps, instructors frequently resorted to supplementing textbooks with authentic materials such as real business emails, recorded video calls, and role-play scenarios designed from their own professional experience or sourced online. This approach was viewed as crucial for exposing students to the pragmatic realities of international business communication. For instance, one instructor shared:

"I bring in emails from my own workplace and show videos of meetings from global companies. It helps students understand how tone and indirectness work in real contexts, which textbooks don't show." (Instructor 7)

Such practice echoes Canagarajah's (2006: 15) argument for the importance of authentic materials in teaching pragmatic competence, especially in diverse intercultural settings.

Challenges in Teacher Training and Confidence

Another significant issue highlighted was the lack of formal training in intercultural pragmatics among instructors themselves. Despite recognizing the importance of pragmatic skills, many felt underprepared to teach this area systematically. One participant admitted:

"I'm confident teaching grammar and vocabulary, but when it comes to teaching politeness conventions or indirectness across cultures, I feel I lack the knowledge and resources." (Instructor 1)

This sentiment is consistent with the broader literature that identifies teacher readiness as a major barrier to effective pragmatics instruction (Cogo & Dewey, 2012: 53; Spencer-Oatey, 2008: 65).

Student Pragmatic Failures and Learning Needs

Instructors also reported frequent pragmatic failures among students, particularly in oral presentations and simulated business interactions. Such failures included inappropriate directness, lack of hedging or softening language, and unawareness of cultural norms around disagreement or refusal. As one teacher recalled:

"A student once bluntly told a guest speaker 'That's not true' without realizing how rude it sounded. These are the mistakes we see regularly." (Instructor 5)

This highlights a gap between students' linguistic knowledge and pragmatic competence, emphasizing the need for explicit instruction and practice in intercultural communication skills (House, 2008: 360).

Demand for Curriculum Reform and Teacher Development

Finally, participants expressed a strong demand for curriculum reforms that incorporate explicit pragmatic instruction, including tasks that promote pragmatic awareness and intercultural sensitivity. They also advocated for professional development programs to enhance teachers' knowledge and confidence in this area:

"We need systematic teacher training on intercultural pragmatics and better materials that include pragmatic reflection tasks and authentic business communication examples" (Instructor 9).

Such calls mirror recommendations in applied linguistics advocating for integration of pragmatic competence into Business English curricula and teacher education (Kádár & Haugh, 2013; Bhatia, 2008).

Discussion. The findings from both the textbook analysis and instructor interviews converge to reveal a critical gap in the current approach to teaching Business English at the university level in Ukraine – namely, the insufficient integration of intercultural pragmatic competence. This gap has important implications for preparing students for effective communication in global professional contexts.

Limited and Implicit Pragmatic Content in Textbooks

The textbook analysis demonstrated that while commercial Business English materials often include relevant communicative situations (e.g., meetings, emails, negotiations), they rarely provide explicit instruction on the pragmatic aspects of these interactions. This aligns with Mauranen's (2012: 86) observation that traditional ELT materials tend to focus on linguistic form and fixed genres, neglecting the pragmatic variability essential for intercultural communication. As Kádár and Haugh (2013: 21) emphasize, pragmatic competence involves not only knowing what to say but how to say it appropriately depending on cultural context, something largely absent in the textbooks analyzed.

Such implicit treatment of pragmatics leads to missed opportunities for learners to develop critical skills such as recognizing politeness strategies, adjusting speech acts according to the interlocutor's cultural background, or understanding indirectness and hedging in business communication (Cogo & Dewey, 2012: 49). This is problematic given that pragmatic failures in real-world settings can result in misunderstandings, loss of face, or damaged professional relationships (House, 2008: 360).

Teacher Adaptation and Supplementary Materials

The interviews confirm that instructors recognize this shortfall and attempt to compensate by introducing authentic materials and creating their own activities. This finding supports Canagarajah's (2006: 15) call for incorporating authentic discourse in TESOL to better prepare learners for real communicative demands. However, reliance on teacher-generated supplementary content presents challenges in terms of consistency, resource availability, and the instructors' own pragmatic knowledge.

Need for Enhanced Teacher Training

The lack of formal training in intercultural pragmatics reported by instructors underscores a systemic issue. As Spencer-Oatey (2008: 65) notes, teacher preparedness is crucial for effective pragmatic instruction, yet many educators feel ill-equipped to teach these nuanced aspects without dedicated professional development. This gap hinders the development of learner competence and points to the need for integrated teacher training programs focusing on intercultural communication skills and pragmatic theory.

Pragmatic Failures Reflect Learning Gaps

The pragmatic failures recounted by instructors – such as inappropriate directness or failure to hedge – highlight the discrepancy between learners' linguistic proficiency and their pragmatic awareness. These errors not only undermine effective communication but also reflect a lack of exposure to pragmatic norms embedded in specific business cultures (House, 2008: 360). Addressing these gaps requires deliberate instructional design that moves beyond linguistic accuracy to include pragmatic competence as a core learning outcome.

Pedagogical Implications and Curriculum Reform

The study's findings strongly advocate for curriculum reforms that explicitly incorporate intercultural pragmatic competence. This can be achieved through several pedagogical strategies:

Inclusion of Pragmatic-Focused Tasks: Activities such as role-plays, simulations, and analysis of authentic business interactions should foreground pragmatic elements like politeness strategies, indirect speech, and cultural variation in communication (Bhatia, 2008: 136).

Use of Authentic Materials: Incorporating real business emails, recorded meetings, and video calls can enhance learners' exposure to genuine pragmatic usage, fostering better understanding of context and tone (Canagarajah, 2006: 20).

Pragmatic Reflection and Metapragmatic Awareness: Structured opportunities for learners to reflect on the appropriateness of different communicative strategies across cultures can deepen pragmatic competence (Kádár & Haugh, 2013: 35).

Teacher's Professional Development: Continuous training focused on intercultural pragmatics will enable teachers to confidently deliver this content and model effective pragmatic behavior (Spencer-Oatey, 2008: 67).

Institutional support is also critical to ensure these reforms are sustainable and effective. Investment in teacher training, curriculum redesign, and resource development is necessary to equip students with the pragmatic skills vital for *international business success.*

Implications for Curriculum Development and Teacher Training

The findings of this study have important implications for both curriculum designers and teacher training programs in Ukraine and comparable educational contexts. Given the underrepresentation of intercultural pragmatic competence in existing textbooks and the self-reported lack of preparedness among instructors, targeted curricular interventions and professional development are urgently needed.

First, Business English syllabi at Ukrainian universities should explicitly incorporate intercultural pragmatics as a core learning outcome. This entails designing course modules that go beyond linguistic accuracy to foster learners' ability to interpret and produce contextually appropriate communication across cultures. Curriculum planners should consider embedding pragmatic reflection tasks, contrastive discourse analysis, and intercultural case studies throughout the course progression.

Second, the development of supplementary teaching materials – such as pragmatics-focused worksheets, annotated transcripts of business interactions, and video-based discussion prompts – would help bridge the gap between textbook content and real-world communicative demands. Collaboration between textbook publishers, applied linguists, and experienced instructors can ensure that such materials are both pedagogically sound and practically applicable.

Third, teacher training programs must be restructured to include dedicated modules on intercultural pragmatics. These should provide instructors with a robust theoretical foundation in speech act theory, politeness theory, and discourse analysis, alongside practical strategies for classroom implementation. Workshops and continuous professional development sessions can further support teachers in diagnosing pragmatic breakdowns, facilitating reflective discussions, and assessing intercultural communicative competence.

Overall, for Business English education to remain relevant in a globalized economy, systematic curricular reform and sustained investment in teacher preparedness are essential. These efforts will not only enhance students' communicative competence but also foster more respectful, effective international collaboration.

Future Research Directions. Future studies should evaluate the impact of these pedagogical interventions on learner outcomes longitudinally to determine best practices for pragmatic competence development. Research could also explore teacher perceptions and challenges in other cultural contexts to build a broader understanding of pragmatics teaching in Business English (Mauranen, 2012: 95).

Conclusion. This study has clearly shown that current Business English teaching practices at Ukrainian universities inadequately address the development of intercultural pragmatic competence, a vital skill for effective global professional communication. The combined analysis of widely used textbooks and instructor interviews revealed that pragmatic elements are generally implicit, superficial, or missing altogether from teaching materials, leaving a significant pedagogical gap.

While instructors are aware of this deficiency and strive to compensate through supplementary authentic materials and ad hoc activities, they consistently report a lack of formal training and institutional support. This situation places both teachers and learners at a disadvantage: students may achieve linguistic accuracy but frequently fail to navigate the subtle pragmatic nuances required in intercultural business interactions. These pragmatic failures risk misunderstandings, strained professional relationships, and reduced communicative effectiveness in real-world contexts.

To bridge this gap, the study advocates for comprehensive curriculum reforms that explicitly integrate pragmatic-focused tasks, authentic discourse, and opportunities for reflective learning. Moreover, embedding systematic teacher training on intercultural pragmatics is essential to empower educators to confidently and effectively teach these complex skills. Such changes demand institutional commitment to resource allocation, curriculum development, and ongoing professional development.

Future research should focus on assessing the practical impact of these pedagogical innovations through longitudinal studies, exploring how students' pragmatic competence evolves over time and transfers into workplace success. Additionally, cross-cultural investigations of Business English teaching practices will enrich understanding of the diverse challenges and solutions in pragmatic competence development worldwide.

Ultimately, equipping Business English learners with robust intercultural pragmatic competence is not optional but essential in today's globalized economy. By recognizing and addressing the current shortcomings, educators and institutions can better prepare students to engage confidently, appropriately, and successfully in the international business arena.

References:

1. Bhatia, V. K. (2008). *Worlds of written discourse: A genre-based view*. Continuum.
2. Braun and Clarke (2006). Braun, V. & Clarke, V. (2006). *Using thematic analysis in psychology. Qualitative Research in Psychology, 3*(2), 77–101. URL: https://www.tandfonline.com/doi/abs/10.1191/1478088706qp063oa. (Retrieved: May 28, 2025).
3. Canagarajah, A. S. (2006). TESOL at forty: What are the issues? *TESOL Quarterly, 40*(1), 9–34. URL: https://doi.org/10.2307/40264509. (Retrieved: May 22, 2025).
4. Cogo, A., & Dewey, M. (2012). *Analysing English as a lingua franca: A corpus-driven investigation*. Continuum.
5. Creswell, J. W. (2014). *Research Design: Qualitative, Quantitative, and Mixed Methods Approaches* (4th ed.). SAGE Publications.
6. Denzin, N. K. (1978). *The Research Act: A Theoretical Introduction to Sociological Methods* (2nd ed.). New York: McGraw-Hill.
7. Halliday, M. A. K. (1994). *An introduction to functional grammar* (2nd ed.). Edward Arnold.
8. House, J. (2008). Beyond intervention: What a discourse approach can tell us about pragmatic failures. *Intercultural Pragmatics, 5*(3), 353–376. URL: https://doi.org/10.1515/IPRG.2008.017. (Retrieved: November 20, 2024).
9. Jenkins, J. (2007). *English as a lingua franca: Attitude and identity*. Oxford University Press.
10. Kádár, D. Z., & Haugh, M. (2013). *Understanding politeness*. Cambridge University Press.
11. Krippendorff, K. (2013). *Content Analysis: An Introduction to Its Methodology* (3rd ed.). Thousand Oaks, CA: SAGE Publications.
12. Mauranen, A. (2012). *Exploring ELF: Academic English shaped by non-native speakers*. Cambridge University Press.

13. Spencer-Oatey, H. (2008). *Culturally speaking: Culture, communication and politeness theory* (2nd ed.). Continuum.
14. Strauss, A., & Corbin, J. (1998). *Basics of qualitative research: Techniques and procedures for developing grounded theory* (2nd ed.). Sage Publications.
15. Thomas, D. R. (2006). *A general inductive approach for analyzing qualitative evaluation data*. American Journal of Evaluation, 27(2), 237–246. URL: https://doi.org/10.1177/1098214005283748. (Retrieved May 25, 2025).

FEATURES OF THE PROFESSIONAL-PEDAGOGICAL COMPETENCE OF A MEDICAL UNIVERSITY LECTURER

Yuliia Yevtushenko,
Candidate of Pedagogical Sciences, Associate Professor,
Associate Professor at the Department of Microbiology, Virology, Immunology, Medical Physics and Medical Informatics,
State Establishment "Lugansk State Medical University" (Rivne, Ukraine)
ORCID ID: 0000-0002-7315-3337
julia.evtyshenko@ukr.net

Abstract. The article analyses the features of professional and pedagogical competence of medical higher education institution lecturers in modern conditions of dynamic changes in education and increasing requirements for the quality of training future medical specialists. Key components of this competence are identified, including professional knowledge, pedagogical mastery, communication skills, emotional intelligence, and adaptability. Special attention is paid to specific aspects of medical education, such as the integration of clinical knowledge with teaching through case methods and simulation training, ethical and empathetic teaching, the use of modern technologies, the role of mentorship in forming clinical thinking, and cultural competence in the context of globalisation. Based on the analysis of literature and practices, global trends are summarised, modern challenges are outlined, and practical strategies are proposed for developing a competent lecturer capable of effectively meeting the needs of modern medicine. The conclusions emphasise the need for continuous improvement of professional and pedagogical competence to meet the requirements of modern medical education and stress the necessity of investment in the professional development of lecturers.

Key words: professional-pedagogical competence, medical education, medical university lecturer, technologies in education, empathy, mentorship.

Introduction. In today's rapidly changing world, influenced by scientific and technological progress and transformations in healthcare, the requirements for the quality of training future medical specialists are increasing (Beasley, 2024). In this context, a crucial role is played by the lecturer of a medical higher education institution, whose professional and pedagogical competence determines students' ability to effectively solve clinical tasks, implement innovative medical technologies, and adhere to the profession's ethical standards.

Training a highly qualified doctor today is a complex multi-level process that requires not only thorough professional knowledge and practical experience but also mastery of modern pedagogical methods. The conditions of constant renewal of educational paradigms, interdisciplinarity, and digitalisation require the lecturer to combine professional expertise with the effective organisation of the educational process.

Given this, the study of the professional-pedagogical competence (PPC) of medical university lecturers emerges as a relevant multi-faceted phenomenon that encompasses not only teaching students but also forming their clinical thinking, developing Soft Skills, professional self-determination, and readiness for interpersonal interaction.

The relevance of the topic is also driven by observations from educational practice: even with thorough theoretical preparation, students often experience difficulties with the practical application of knowledge, manifested in uncertainty when communicating with patients, weak clinical decision-making skills, and problems adapting to real conditions of medical practice (Lodhiya & Brahmbhatt, 2019; Challa et al., 2021; Hashemiparast et. al 2019; Durning et al., 2024). This emphasises the need for lecturers to develop not only academic but also pedagogical flexibility and the

ability to model learning situations that form critical thinking and practical competence in students.

Thus, the study of the PPC of medical university lecturers is not only scientifically justified but also practically significant. Its results can contribute to the modernisation of higher medical education, improve the quality of specialist training, and, ultimately, ensure the effective functioning of the healthcare system.

The goal of the research. The purpose of this article is to theoretically substantiate and identify unique features of the PPC of medical university lecturers, analyse current trends in its development, and develop practical recommendations for its formation.

Research methods. The study employed a complex of complementary scientific methods: theoretical analysis of scientific literature, systematisation and classification, comparative analysis, synthesis, and generalisation. The proposed set of methods allowed for a comprehensive analysis of existing scientific approaches to the problem of the PPC of medical university lecturers, identification of main trends, and formulation of promising directions for further research in this field.

Research materials – scientific publications, including monographs, articles in professional domestic and international journals, as well as dissertation research that reveals theoretical and practical aspects of pedagogical mastery of higher education lecturers, particularly in the medical field; materials devoted to models of professional competence of pedagogical workers, didactic approaches in higher medical education, methods for activating educational and cognitive activities of medical students, and the formation of their professional qualities.

Literature review. The development of the professional-pedagogical competence (PPC) of higher education lecturers, particularly in medical universities, has attracted increasing attention from researchers in recent years. The main research directions include modernisation of the educational process, implementation of innovative teaching technologies, development of soft skills in students, and improvement of pedagogical effectiveness. For instance, M. Kaminska emphasises the need for specialised pedagogical training for lecturers of medical faculties, particularly dental. She stresses the importance of integrating clinical expertise with educational technologies, with the case method taking a leading place as a means of developing critical thinking in students (Kaminska, 2025). M. Antoniuk expands this vision by substantiating the effectiveness of simulation technologies and virtual laboratories for developing practical skills in students. In his opinion, interactive methods significantly increase student engagement and contribute to deeper mastery of the material (Antoniuk, 2022). L. Sydorenko and O. Boiko interpret professional-pedagogical competence as an integration of theoretical knowledge and practical implementation, emphasising that an effective lecturer should not only master the subject but also create a productive learning environment (Sydorenko, 2020; Boiko, 2021). Special attention should be given to the works of K. Mahrlamova and A. Hohol with colleagues, who examine the importance of soft skills, intercultural communication, and emotional sensitivity in teaching practice. In particular, Mahrlamova notes empathy, ethical decision-making, and communication as key elements of pedagogical competence necessary for forming a patient-oriented approach (Mahrlamova, 2018). A. Hohol and co-authors emphasise the importance of preparing students to work in a globalised medical environment, which requires high intercultural competence from the instructor (Hohol, 2020). The Bulynins emphasise the significance of pedagogical mastery as a combination of creativity, professional knowledge, and motivational strategies that influence students' learning motivation (Bulynina, & Bulynin, 2023). M. Diachenko and S. Usenko view the lecturer as a manager of the educational process who must master digital platforms and be able to adapt learning to individual student needs (Diachenko, & Usenko, 2023). O. Kirdan considers the didactic competence of a lecturer as the ability to create an effective learning environment using interactive forms of material presentation and quality assessment of results (Kirdan, 2023).

Foreign research also demonstrates a deep interest in the topic of the PPC. The dominant themes include the standardisation of teaching competencies, evaluation of teaching effectiveness, and the

impact of pedagogical approaches on learning outcomes (Richardson et al., 2021; Brauer et al., 2023; Sorensen et al., 2019; Kuivila et al., 2020; Ghasemi et al., 2023; Herrmann-Werner et al., 2021). Considerable attention is paid to the development of lecturers' intercultural competence in the context of the globalisation of medical education.

Despite numerous developments, there remains a pressing need for a systematic generalisation of approaches and identification of the specific features of the professional-pedagogical competence inherent to lecturers of Ukrainian medical universities in conditions of modern transformations. This necessitates in-depth research on innovative methods for developing the PPC of lecturers and implementing effective international practices in the system of professional development for lecturers of medical universities in Ukraine, taking into account national educational traditions and contemporary challenges.

Results and discussion.

Theoretical foundations of professional-pedagogical competence. The professional-pedagogical competence of a medical university lecturer is a multifaceted concept that integrates knowledge, skills, and personal characteristics necessary for effective educational activities (Larina, 2024; Popelyshkina, 2022; Kryzhanovska, 2024). It involves combining professional expertise, pedagogical skills, and the ability to develop practical skills, clinical thinking, and ethical principles in students. The professional-pedagogical competence (PPC) of an instructor is based on a competency-oriented approach that emphasises the development of applied skills, not just knowledge transfer (Koliesnik, 2024; Aslamov, 2021; Kaplinskyi et al., 2022; Pashchenko, 2023). The principle of reflective practice (Schön, 1983) is also key, which involves constant self-analysis and improvement of teaching activities to adapt to the needs of students and clinical situations.

The structure of the professional-pedagogical competence of a medical university instructor consists of several key components that interact with each other and ensure the integrity of educational influence:

– professional competence (deep medical knowledge and clinical experience that is constantly updated);

– pedagogical mastery (command of teaching methods, adaptation of complex clinical material to educational needs);

– communicative competence (effective interaction with students, colleagues, and modelling of professional communication);

– emotional intelligence (recognition of students' emotional states, creation of a comfortable learning environment);

– adaptability and self-development (professional reflection, knowledge updating, and mastery of new pedagogical practices).

These components do not exist in isolation but form a complex interconnected system where strengthening one component positively affects the development of others. Such an integrated structure allows for the combination of professional medical knowledge, pedagogical mastery, communication skills, emotional intelligence, and professional reflection into a single complex necessary for effective training of future medical specialists.

Medical education has a number of specific features that place a special imprint on the professional-pedagogical competence of a medical university instructor. Key aspects include:

– integration of clinical experience into teaching (the lecturer demonstrates practical application of knowledge, developing students' clinical thinking);

– ethical and empathetic component (formation of moral guidelines, empathy, and readiness to work in emotionally intense conditions);

– patient orientation (teaching principles of evidence-based medicine, considering individual patient needs, developing communication skills).

The key principles in developing professional pedagogical competence are continuous learning, mastering digital tools (virtual reality, AI platforms, electronic medical simulations), and participation in professional training. Thus, PPC is a dynamic phenomenon that combines traditional pedagogical skills with the requirements of modern medical education.

Unique features of competence in medical education. The PPC of a medical university lecturer has specific characteristics determined by the requirements of medical education. It combines clinical expertise, ethical interaction, technological literacy, and an intercultural approach, developing specialists for a complex medical environment. Let's identify the key features of this competence, specifically determined by the context of the medical field:

1. *Interdisciplinary expertise.* The lecturer integrates clinical knowledge with pedagogical methods, using case methods, problem-oriented learning, and simulation training. For example, simulating emergency care on mannequins develops clinical thinking and reduces student anxiety.

2. *Ethical and empathetic teaching.* The lecturer models ethical behaviour, developing empathy and responsibility in students. Role-playing and analysis of ethical dilemmas contribute to the formation of bioethical principles.

3. *Adaptation to innovative technologies.* The use of VR, AI, and online platforms requires technical literacy and pedagogical creativity. VR simulations allow for safe mastery of surgical skills, while AI adapts tasks to the level of preparation.

4. *Role of mentor.* The lecturer accompanies students in their professional development, providing feedback and support. Individual consultations and clinical conferences form independence and psychological resilience.

5. *Cultural competence.* Preparation for working with diverse patient groups requires intercultural sensitivity. Including intercultural cases and studying medical terminology in a foreign language contribute to global mobility.

These features distinguish the PPC of a medical university lecturer, ensuring the preparation of specialists ready to work in a multicultural and technologically advanced environment.

Challenges in the development of the PPC. Despite growing attention to the formation of the PPC of medical university lecturers, in practice, its development process faces a number of systemic barriers. These challenges not only complicate the effective organisation of the educational process but also hinder adaptation to new educational standards and technologies. Their analysis allows for a deeper understanding of the reasons for the gap between students' theoretical preparation and their practical readiness for professional activity. Figure 1 presents the main groups of challenges affecting the development of the PPC of medical university instructors. They encompass both individual (psycho-emotional and qualification) and institutional (organisational, financial, technological) factors.

These challenges form a complex system of interconnected problems that require a comprehensive solution. Psycho-emotional challenges include professional burnout, stress from dual workload (clinical and pedagogical), and emotional exhaustion from working with complex medical cases. These factors directly affect the motivation and energy necessary for implementing innovative approaches to teaching.

Qualification challenges manifest in the insufficient pedagogical preparation of most medical specialists who come to teaching from clinical practice and limited mastery of modern educational methodologies and assessment tools. Often, experienced clinicians with deep professional knowledge experience difficulties structuring and transmitting their knowledge to students due to a lack of pedagogical competencies.

Organisational challenges are particularly acute in the deficit of time for planning and developing innovative educational materials, the need to combine teaching, clinical, and research activities, and frequent changes in curricula and regulatory requirements. Physician-lecturers are forced to balance academic duties and work with patients, which limits opportunities for pedagogical self-development.
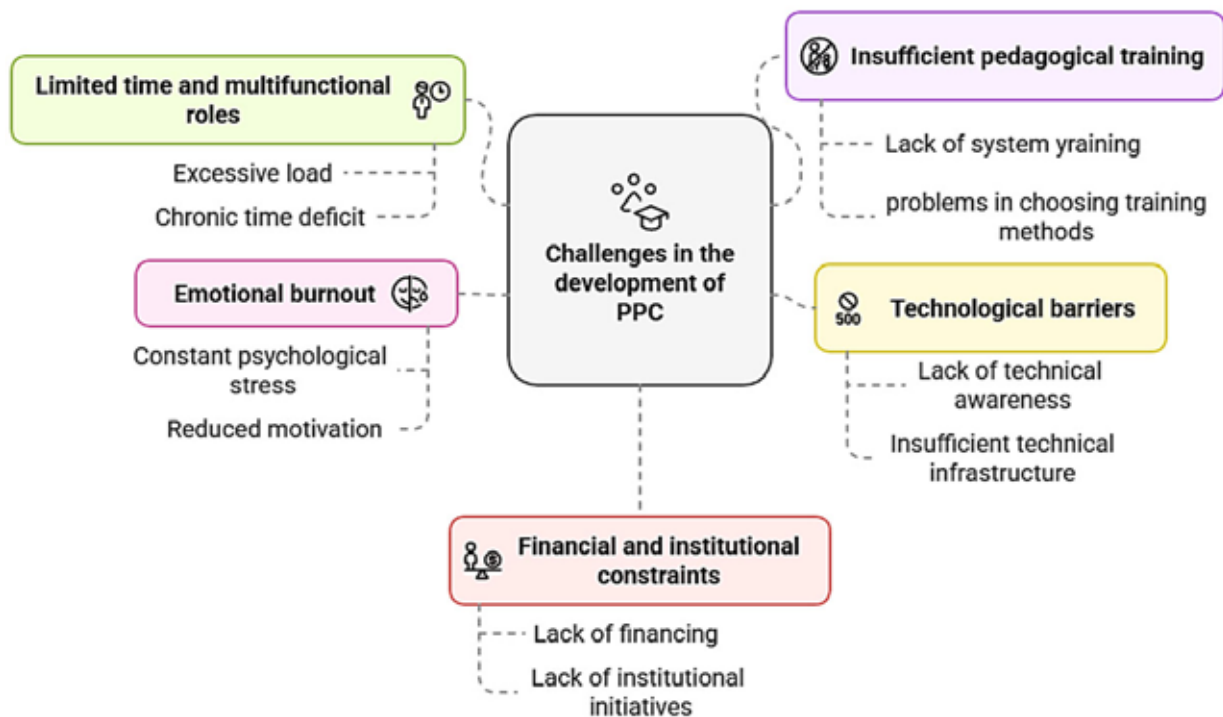
Fig. 1. Challenges in the Development of Professional-Pedagogical Competence

Financial challenges are related to insufficient material incentives for pedagogical mastery, limited resources for professional development and participation in professional conferences, and underfunding of educational innovations. This is especially noticeable in conditions of economic constraints when funding for healthcare and education is often reduced.

Technological challenges include the rapid ageing of medical and educational equipment, the digital divide between different generations of lecturers, and difficulties with implementing new simulation and digital technologies in the traditional learning process. An additional factor has been the need for rapid adaptation to distance and blended learning in modern realities.

These mutually reinforcing factors create a vicious circle that requires a comprehensive solution. To overcome the challenges, the following is proposed:

– organizational measures (creation of centres for pedagogical mastery, development of flexible schedules for instructors, mentoring programs for young educators);

– technological solutions (implementation of simulation centres, online courses for students, access to learning management systems (LMS));

– individual strategies (reflective journals, methodological seminars, microlearning through short videos of clinical skills);

– institutional support (grants for educational innovations, recognition of pedagogical achievements in career advancement, creation of professional communities).

A comprehensive approach that combines individual efforts and institutional support will help overcome barriers and improve the quality of medical education.

Modern trends and their impact on competence. Contemporary transformations in education require medical university teachers to update their PPC to align with global changes. Table 1 systematises key trends, their essence, and the requirements for lecturers.

These trends transform the lecturer's role from a knowledge transmitter to a facilitator who supports students' individual development in a multicultural and technologically developed environment.

Table 1

**Modern Trends and Their Impact on the Content and Structure
of Professional-Pedagogical Competence**

Trend	Essence of the phenomenon	Requirements for the lecturer
Digitalization of education	Implementation of online learning, digital platforms, and simulations	Digital literacy, ability to create online courses, and work with virtual environments
Personalized learning	Focus on the individual needs of students	Diagnosing learning needs, adapting materials, using AI for personalization
Globalization of medical education	Preparing students for work in an international environment	Intercultural competence, proficiency in English, knowledge of international approaches
Integration of Artificial Intelligence	Use of AI in simulations and adaptive learning	Ability to use AI tools and automated services in education
Focus on Soft Skills	Development of communication, emotional intelligence, and teamwork	Teaching Soft Skills through case studies and role-playing, facilitating group activities

Development of practical recommendations for building the professional-pedagogical competence (PPC) of medical university lecturers. In the context of modern transformations in higher medical education, special importance is given not only to the theoretical understanding of the PPC of teachers but also to the development of practical tools for its targeted formation. Based on the results of the study, analysis of current challenges and trends, as well as the synthesis of best practices from national and international experience, a system of practical recommendations has been proposed. This system covers key areas for the development of pedagogical mastery of medical university lecturers. The recommendations are grouped by areas of action and presented in a table for ease of application in practical activities (Table 2).

These recommendations will contribute to improving the quality of education, strengthening lecturers' professional identities, and preparing specialists for modern challenges.

Conclusions and prospects for further research. The professional-pedagogical competence (PPC) of a medical university lecturer is a multifaceted phenomenon that combines professional knowledge, pedagogical skills, communication, emotional intelligence, and technological literacy.

Table 2

**Practical Recommendations for Building the Professional-Pedagogical Competence
of Medical University Lecturers**

Area of action	Recommended content	Forms of implementation/examples
Institutional support	Providing conditions for the pedagogical growth of lecturers	Centres for pedagogical excellence, professional development programs with a medical focus
Continuous professional development (CPD)	Lifelong learning throughout the career	Online courses, international exchanges, individual educational plans
Mentoring and coaching	Support for young lecturers	Mentoring programs within departments, interdepartmental methodological groups
Development of Soft Skills	Forming communication and emotional intelligence	Facilitation training, simulations of interpersonal situations
Digitalization and technical support	Integration of modern educational technologies	Training teachers to use LMS, VR/AR, development of digital clinical cases
Reflection and self-development	Self-assessment and improvement of personal practice	Keeping reflective journals, group discussions of situations

Its uniqueness stems from the integration of clinical experience, ethical sensitivity, simulation-based learning, mentoring, and cultural competence. The development of PPC is hindered by barriers such as time constraints, insufficient pedagogical training, technological difficulties, emotional burnout, and limited institutional support. To overcome these, comprehensive strategies are needed: professional development programs, mentoring, digitalisation of education, reflective practice, and inter-departmental collaboration. In the context of transformations in medical education, institutions must create a supportive environment for pedagogical growth through access to resources, innovations, and professional communities. Particularly important are the development of soft skills, personalised learning, and the implementation of digital tools (VR, AI).

Prospects for further research should focus on studying the impact of digital technologies on the quality of medical education and the emotional well-being of lecturers and students in hybrid and distance learning environments. Separate attention should also be given to issues of developing pedagogical resilience, fostering a culture of institutional support, and evaluating the effectiveness of pedagogical innovations in the medical field.

References:

1. Aslamov, O.O. (2021). Profesiino-pedahohichna kompetentnist pedahohiv [Professional and pedagogical competence of teacher]. Proceedings from: VII *Mizhnarodna naukovo-praktychna internet-konferentsiia "Kryterii ta yakosti profesionalizmu sered pedahohiv. Psykholoho-pedahohichni aspekty navchannia doroslykh v systemi neperervnoi osvity" – The VII International Scientific and Practical Internet Conference "Criteria and qualities of professionalism among teachers. Psychological and Pedagogical Aspects of Adult Learning in the System of Continuing Education"*. (pp. 119–122). Bila Tserkva: BINPO DVNZ UMO [in Ukrainian].

2. Bulynina, O.D., & Bulynin, V.O. (2023). Znachennia pedahohichnoi maisternosti vykladachiv medychnykh navchalnykh zakladiv [The importance of pedagogical skills of teachers of medical educational institutions]. *Scientific research in the modern world*: Proceedings of the 7th International scientific and practical conference, (pp. 277–283). Toronto [in Ukrainian]. URL: https://sciconf.com.ua/vii-mizhnarodna-naukovo-praktichna-konferentsiya-scientific-researchin-the-modern-world-4-6-05-2023-toronto-kanada-arhiv/

3. Hohol, A.M., Pankevych, A.I., & Kolisnyk, I.A. (2020). Mizhnarodna profesiina kompetentnist likaria: problemy i perspektyvy pry vykladanni khirurhichnoi stomatolohii [International professional competence of a doctor: problems and prospects in teaching surgical dentistry]. *Suchasna medychna osvita: metodolohiia, teoriia, praktyka – Modern medical education: methodology, theory, practice*: Proceedings of the All-Ukrainian educational and scientific conference with international participation, (pp. 49–51). Poltava [in Ukrainian].

4. Diachenko, M.S., & Usenko, S.H. (2023). Rol vykladacha zakladu vyshchoi medychnoi osvity yak menedzhera navchalnoho protsesu [The role of a teacher of a higher medical education institution as a manager of the educational process]. *Aktualni pytannia pedahohiky vyshchoi medychnoi osvity – Topical issues of pedagogy of higher medical education*: Proceedings of the All-Ukrainian scientific and practical conference with international participation, (pp. 61–62). Kharkiv [in Ukrainian]. URI https://repo.knmu.edu.ua/handle/123456789/32850

5. Kaminska, M.V. (2025). Formuvannia profesiino-pedahohichnykh kompetentnostei vykladachiv stomatolohichnoho fakultetu vyshchykh medychnykh navchalnykh zakladiv [Formation of professional and pedagogical competences of teachers of the dental faculty of higher medical educational institutions]. *Formuvannia profesiinoi kompetentnosti vykladachiv zakladiv vyshchoi osvity v konteksti suchasnykh suspilnykh vyklykiv – Formation of professional competence of teachers of higher education institutions in the context of modern social challenges*: Proceedings of the All-Ukrainian scientific and pedagogical advanced training, (pp. 88–90). Lviv URL: https://www.researchgate.net/profile/Olena-Sinkarova/publication/389642308_Profesijne_samovdoskonalenna_fahivciv_zakladiv_visoi_osviti/links/

67caed8832265243f5835af7/Profesijne-samovdoskonalenna-fahivciv-zakladiv-visoi-osviti.pdf#page=88

6. Kaplinskyi, V.V., Pinaieva, O.Yu., & Pachevska, A.V. (2022). Vzaiemozviazok mizh poniattiamy «profesionalizm», «profesiino-pedahohichna kompetentnist» ta «pedahohichna maisternist» vykladacha vyshchoi shkoly [Interrelation between the concepts of 'professionalism', 'professional and pedagogical competence' and 'pedagogical skill' of a higher education teacher]. *Science, innovations and education: problems and prospects* : Proceedings from the 14th International scientific and practical conference , (pp. 213–218). Tokyo, Japan [in Ukrainian]. URL: https://sci-conf.com.ua/xiv-mizhnarodna-naukovo-praktichnakonferentsiya-science-innovations-and-education-problems-and-prospects-25-27-08- 2022-tokio-yaponiya-arhiv/

7. Kirdan, O. (2023). Dydaktychna kompetentnist maibutnikh vykladachiv zakladiv vyshchoi osvity: sutnist, formuvannia, rozvytok [Didactic competence of future teachers of higher education institutions: essence, formation, development]. *Problemy pidhotovky suchasnoho vchytelia – Problems of modern teacher training*, 2(28), 84–91 [in Ukrainian].

8. Koliesnik, T.V. (2024). Profesiino-pedahohichna kompetentnist vykladacha: suchasni vyklyky [Professional and pedagogical competence of the teacher: modern challenges]. Profesiinyi rozvytok, udoskonalennia zahalnykh i profesiinykh kompetentnostei vykladachiv vyshchoi shkol – Professional development, improvement of general and professional competences of higher school teachers: Proceedings of the All-Ukrainian scientific and pedagogical advanced training, (pp. 64–65). Lviv – Torun: Liha-Pres [in Ukrainian].

9. Kryzhanovska, A.V., Bolshakova, T.V., & Sokolov, O. (2024). Psykholohichna kharakterystyka akmeolohichnoho komponentu pedahoihchnoi diialnosti vykladacha ZVO [Psychological characteristics of the acmeological component of the pedagogical activity of a university teacher]. *Visnyk KhNPU imeni H.S. Skovorody. Psykholohiia – Bulletin of H.S. Skovoroda Kharkiv National Pedagogical University. Psychology*, 70, 49–65 [in Ukrainian].

10. Larina, T.V. (2024). Profesiino-pedahohichna mobilnist vykladacha v konteksti kreatyvnosti [Professional and pedagogical mobility of a teacher in the context of creativity]. *Naukovi zapysky. Seriia: Pedahohichni nauky – Scientific notes. Series: Pedagogical sciences*, 216, 351–357 [in Ukrainian]. DOI: https://doi.org/10.36550/2415-7988-2024-1-216-351-357

11. Mahrlamova, K. (2018). Kliuchovi profesiino-pedahohichni kompetentnosti vykladachiv vyshchykh medychnykh navchalnykh zakladiv [Key professional and pedagogical competences of teachers of higher medical educational institutions]. *Naukovyi visnyk Melitopolskoho derzhavnoho pedahohichnoho universytetu – Scientific Bulletin of Melitopol State Pedagogical U*niversity, 1, 202–206 [in Ukrainian]. URL: http://nbuv.gov.ua/UJRN/Nvmdpu_2018_1_33

12. Petrushanko, T.O., Ilenko, N.M., Ilenko-Lobach, N.V. [ta in.]. (2022). Formuvannia profesiinoi kompetentnosti maibutnikh likariv-stomatolohiv [Formation of professional competence of future dentists]. *Aktualni pytannia linhvistyky, profesiinoi linhvodydaktyky, psykholohii i pedahohiky vyshchoi shkoly – Topical issues of linguistics, professional linguodidactics, psychology and pedagogy of higher education*: Proceedings of the VII International scientific and practical conference, (pp. 190–193). Poltava [in Ukrainian]. URI: https://repository.pdmu.edu.ua/handle/123456789/19987

13. Popelyshkina, A.V. (2022). Profesiino-pedahohichna kompetentnist pedahoha [Professional and pedagogical competence of a teacher]. Proceedings from: *Suchasni tendentsii pidhotovky maibutnikh uchyteliv trudovoho navchannia ta tekhnolohii, pedahohiv profesiinoi osvity i fakhivtsiv obrazotvorchoho ta dekoratyvnoho mystetstva: teoriia, dosvid, problem – Modern trends in the training of future teachers of labour training and technology, vocational education teachers and specialists in fine and decorative arts: theory, experience, problem*s (Vols. 5), (pp. 51–53). Vinnytsia: Mercury-Podillya LLC [in Ukrainian]. URI: http://dspace.pnpu.edu.ua/handle/123456789/20603

14. Silkova, O.V., Makarenko, V.I., & Makarenko, O.V. (2022). Suchasni metody vykladannia y navchannia v medychnii osviti [Modern methods of teaching and learning in medical education]. *Suchasni trendy rozvytku medychnoi osvity: perspektyvy i zdobutky – Modern trends in the development of medical education: prospects and achievement*: Proceedings of the Educational and scientific confer-

ence with international participation, (pp. 268–270). Poltava [in Ukrainian] URL: https://repository. pdmu.edu.ua/server/api/core/bitstreams/fd12ac96-6189-486e-aac2-7db55e7474b8/content

15. Beasley, M. (2024). *2025 Vision: The Future of Medical Education* [in English]. URL: https://www. linkedin.com/pulse/2025-vision-future-medical-education-malcolm-beasley-tb1re/ (дата звернення 02.05.2025).

16. Brauer, S, Kettunen, J, Levy, A, Merenmies, J, & Kulmala, P. (2023). The educational paradigm shift-a phenomenographic study of medical teachers' experiences of practices. *BMC Med Educ*, 23(1), 29 [in English]. DOI: 10.1186/s12909-023-04013-w.

17. Challa, KT, Sayed, A, & Acharya, Y. (2021). Modern techniques of teaching and learning in medical education: a descriptive literature review. *MedEdPublish*, 21, 10–18 [in English]. DOI: 10.15694/ mep.2021.000018.1.

18. Durning, SJ, Jung, E, Kim, DH, & Lee, YM. (2024). Teaching clinical reasoning: principles from the literature to help improve instruction from the classroom to the bedside. *Korean J Med Educ*, 36(2), 145–155 [in English]. DOI: 10.3946/kjme.2024.292.

19. European Commission: Directorate-General for Education, Youth, Sport and Culture, Key competences for lifelong learning: Publications Office (2019) [in English]. URL: https://data.europa.eu/ doi/10.2766/569540

20. Ghasemi, S, Bazrafkan, L, Shojaei, A, Rakhshani, T, & Shokrpour, N. (2023). Faculty development strategies to empower university teachers by their educational role: A qualitative study on the faculty members and students' experiences at Iranian universities of medical sciences. *BMC Med Educ*, 23(1), 260 [in English]. DOI: 10.1186/s12909-023-04209-0.

21. Hashemiparast, M, Negarandeh, R, & Theofanidis, D. (2019). Exploring the barriers of utilizing theoretical knowledge in clinical settings: A qualitative study. *Int J Nurs Sci*, 6(4), 399–405 [in English]. DOI: 10.1016/j.ijnss.2019.09.008.

22. Herrmann-Werner, A, Erschens, R, Zipfel, S, Loda, T. (2021). Medical education in times of COVID-19: survey on teachers' perspectives from a German medical faculty. *GMS J Med Educ*, 38(5), 93 [in English]. DOI: 10.3205/zma001489.

23. Kuivila, HM, Mikkonen, K, Sjögren, T, Koivula, M, Koskimäki, M, Männistö, M, Lukkarila, P, & Kääriäinen, M. (2020). Health science student teachers' perceptions of teacher competence: A qualitative study. *Nurse Educ Today*, 84, 104210 [in English]. DOI: 10.1016/j.nedt.2019.104210.

24. Lodhiya, KK, & Brahmbhatt, KR. (2019). Effectiveness of Collaborative Versus Traditional Teaching Methods in a Teaching Hospital in Gujarat. *Indian J Community Med*, 44(3), 243–246 [in English]. DOI: 10.4103/ijcm.IJCM_378_18.

25. Niemtchenko, I., Liakhovskyi, V., Lisenko, R., Krasnov, O.G., & Ryabushko, R. (2023). Profesiina kompetentnist vykladacha vyshchoho medychnoho navchalnoho zakladu – vahomyi pokaznyk yoho profesiino-pedahohichnoi diialnosti [The professional competence of a teacher of a higher medical educational institution is a significant indicator of his/her professional and pedagogical activity]. *Aktualni problemy suchasnoi medytsyny: Visnyk Ukrainskoi medychnoi stomatolohichnoi akademii – Actual problems of modern medicine: Bulletin of the Ukrainian Medical Stomatological Academ*, 23(4), 277–280 [in Ukrainian]. DOI: https://doi.org/10.31718/2077-1096.23.4.277

26. Richardson, D, Kinnear, B, Hauer, KE, Turner, TL, Warm, EJ, Hall, AK, Ross, S, Thoma, B, & Van Melle, E. (2021). ICBME Collaborators. Growth mindset in competency-based medical education. *Med Teach*, 43(7), 7510757 [in English]. DOI: 10.1080/0142159X.2021.1928036.

27. Schön, D.A. (1992). *The reflective practitioner: How professionals think in action*. London: Routledge [in English]. DOI: https://doi.org/10.4324/9781315237473

28. Sorensen, J, Norredam, M, Suurmond, J, Carter-Pokras, O, Garcia-Ramirez M, & Krasnik, A. (2019). Need for ensuring cultural competence in medical programmes of European universities. *BMC Med Educ*, 19(1), 21 [in English]. DOI: 10.1186/s12909-018-1449-y.

THEORY AND HISTORY OF CULTURE & PHILOSOPHY

THE INFLUENCE OF EUROPEAN CULTURE ON AZERBAIJANI DAILY LIFE IN THE LATE 19TH AND EARLY 20TH CENTURIES

Garanfil Asadova,
Doctoral Student, National Museum of History of Azerbaijan (Baku, Azerbaijan)
ORCID ID: 0009-0008-62914357
esedova.q@mail.ru

Abstract. This article examines the influence of European culture on the daily life of Azerbaijanis during the late 19th and early 20th centuries. The study explores the integration of European elements into Azerbaijani society against the backdrop of cultural relations between Europe and Azerbaijan, the Enlightenment movement, the development of the oil industry, and socio-economic transformations. Transformations in education, women's literacy, clothing, dining culture, and interior-exterior design are analyzed through historical-comparative and ethnographic approaches. The article argues that European influence was initially adopted by the upper classes and was met with resistance in the early stages. However, over time, it evolved into a catalyst for socio-modern development processes. The synthesis of Eastern and Western values in Azerbaijani society led to the formation of new domestic habits and traditions.

Key words: Europeanization, Azerbaijani domestic culture, 19th–20th centuries, cultural influence, dress culture, dining culture, Enlightenment, East-West relations, historical ethnography, modernization.

Introduction. The cultural interaction between the West (Europe) and the East has deep historical roots. Despite their distinct civilizational paths, representatives of both cultures have long shown interest in learning from one another and establishing platforms for mutual integration (Qafqaz Albaniyasının tarixi, 2014). In contemporary times, Western culture has exerted significant influence on global cultural transformations, driven in large part by rapid technological advancements regarded as hallmarks of Western success (Hüseynov, 2007). In contrast, the dynamism of Eastern culture has largely been shaped by internal ideological frameworks focused on the moral evolution of the individual (Məmmədov, 2006). Positioned at the intersection of these civilizational zones, the Azerbaijani people have undergone modernization in daily life under the influence of European culture, making this a pertinent subject for academic inquiry.

The primary objective of this study is to identify the causes, unique characteristics, and patterns of partial Europeanization in various domains of Azerbaijani daily life during the late 19th and early 20th centuries. The study also analyzes the socio-economic factors contributing to the penetration of European and Russian-manufactured goods into Azerbaijani society, assesses the advantages and disadvantages of this cultural shift, and evaluates its impact on social relations (Azərbaycan tarixi, vol. VI, 2008).

A multidisciplinary methodological framework – combining historical, sociological, cultural, and ethnographic approaches – is adopted to evaluate qualitative transformations in culture and lifestyle. Ethnographic observation and folklore materials help trace the reception and diffusion of European influences, as well as their interaction with local traditions (Dadaşova, 2003). The historical-comparative method reveals similarities and differences between traditional Azerbaijani domestic elements (eg, clothing, furniture, dining practices) and those introduced through European influence. Furthermore, the study applies a cross-cultural analytical framework to assess the selective reception and adaptation of European norms (Əfəndiyev, 1960). Through the use of historical literature, mem-

oirs, and museum artifacts, the research identifies concrete examples of cultural transfer (Azərbaycan qadınları, 2001).

Analysis and Discussion. Economic and cultural ties between Europe and Azerbaijan date back to ancient times and intensified during the medieval period through diplomatic and commercial exchanges. However, during these earlier stages, Europeans had limited influence on local domestic life, largely due to the advanced state of local culture, the central role of Islamic norms in societal structure, and the presence of strong state traditions, such as those of the Qaraqoyunlu, Aghqoyunlu, and Safavid dynasties (Azərbaycan tarixi, vol. IV, 2007). These factors restricted the ability of European missionaries and traders to disseminate their customs, beliefs, and ways of thinking. Moreover, the absence of mass engagement with Western culture limited the development of public interest in it.

A significant turning point came with the development of the oil industry, which played a crucial role in facilitating European influence on Azerbaijani culture. The 19th-century technological innovations – such as steam-powered ships and locomotives – spurred a surge in demand for oil, attracting industrialists to Azerbaijan. These settlers brought their own cultural practices, which gradually began to affect local lifestyles (Azərbaycan tarixi, vol. VI, 2008). The establishment of Western-style infrastructure and institutions began to reshape the domestic environment of urban areas.

Another critical factor in the penetration of European culture was the Enlightenment movement. According to Məmmədov (2006), the European Enlightenment, which emerged from revolutions and reforms that emancipated the individual, also influenced Eastern regions that were colonies or semi-colonies of Western powers. Azerbaijan's incorporation into the Russian Empire in the 19th century connected it directly to these processes. Enlightenment intellectuals in Azerbaijan sought to combat ignorance and backwardness by promoting literacy and education. Efforts by figures such as A. Bakikhanov and Akhundov to establish modern schools and introduce the Latin alphabet reflected this agenda, although such initiatives often clashed with imperial interests and were blocked by the authorities (Hüseynov, 2007; (Azərbaycan tarixi, Vol VI, 2008).

Despite these obstacles, public awareness of the importance of education has grown steadily, leading families to prioritize the education of their children. This shift in mentality facilitated the adoption of European cultural practices, particularly in urban settings.

From the late 19th century onward, Enlightenment discourse and increased cultural interaction with Europe began to transform social attitudes toward women. One of the most significant changes was the emergence of new perspectives on women's education. While gender discrimination in access to higher education was also prevalent in Europe – as in the case of Germany, where women were not allowed to enroll in universities until 1890 (Azərbaycan qadınları, 2001) – the issue of women's rights was a pressing concern for Azerbaijani intellectuals. In his article "The Woman Question," ("Arvad məsələsi") Jalil Mammadguluzadeh compared the status of women across various societies and concluded that gender equality had yet to be achieved, even in Europe. The final conclusion was this: "*Musavat, absolute equality!" – that is, the complete equality of rights between men and women in all matters*". (Məmmədquluzadə, 2004).

Consequently, the convergence of economic (oil), political (colonial subjugation), and intellectual (Enlightenment) forces laid the foundation for substantial changes in both the moral culture and everyday life of Azerbaijanis. These transformations are manifested in clothing, dining practices, architecture, and interior and exterior design.

The impact of European culture on Azerbaijani fashion initially became noticeable among the aristocracy. During the Safavid period, for example, Sultan Husayn issued decrees to alter male grooming styles and attire, mandating the adoption of shorter outer garments and eliminating beards in favor of mustaches. *The Shah ordered those around him to wear robes made of broadcloth (sukonnye kaftans) instead of fabrics embroidered with gold and silver threads, stating: 'Let the outer garments be*

quite short, and the sleeves only reach the elbows" (Dadaşova, 2003). These reforms foreshadowed the broader influence of European aesthetic preferences.

However, travelogues and artistic depictions from the 18th and 19th centuries suggest that traditional clothing and lifestyles persisted among lower social strata. French artist Jules Laurens, who visited Azerbaijan between 1846 and 1848, produced illustrations for his book *The Shores of the Caspian Sea* that accurately reflected local customs and traditional attire. His depictions – such as "Itinerant Dervishes," "Religious Ceremony in Tabriz," and "Rope Walkers" – demonstrate the continued dominance of traditional clothing styles well into the mid-19th century (Əfəndiyev, 1960).

From the late 19th to the early 20th century, the socio-economic and cultural development of Azerbaijani society led to the modernization of traditional clothing styles. This transformation was initially evident among the urban elite, in workers' atmosphere, and in school uniforms, reflecting a broader trend across Eastern societies. The fashion evolution during this period was influenced significantly by European styles. As S. Dünyamalıyeva notes, Europe, aligning its fashion with technological advancements, had already abandoned oversized feathered hats, elaborately layered undershirts, and heavy pleated garments (Dünyamalıyeva, 2003, p. 15). By the Restoration period (1815–1820), the "dandy" – an ideal of the simply dressed man – had become a new standard in European fashion (Dünyamalıyeva, 2003, p. 48).

Historically, elements of Turkic attire had been incorporated into Western dress. However, by the modern era, this dynamic reversed, with Eastern societies increasingly adopting Western garments. A similar trend was observed throughout many Eastern countries. As T. Vural explains, "in the early 17th century, the Ottoman lifestyle and fashion were in vogue in the West, particularly in France, under the label 'alaturka,' whereas by the 18th century, Western customs, termed 'alafranga,' gained popularity in the Ottoman Empire. While 'alaturka' fashion lasted about half a century in the West, Western fashion has remained a focal point in Asia Minor for nearly three centuries" (Vural, 2008).

Iran, too, experienced this phenomenon. Following Nasir al-Din Shah's European tours, both clothing and ornamentation underwent substantial changes (Məmmədova, 2016, p. 376). European-style headwear, referred to as *lebadar* or *firəngi* by the public, became fashionable (Məmmədova, 2016, p. 360). Nevertheless, European fashion could not entirely overshadow the traditional Eastern aesthetic. Thus, the inclination toward Western attire was not limited to Azerbaijan but was a broader regional occurrence.

Literary sources from the period vividly reflect the evolving worldview and corresponding changes in atmosphere. In his work *Anamın Kitabı* (*My Mother's Book*), Jalil Mammadguluzadeh illustrates how three sons, having received education in Russia, Iran, and the Ottoman Empire, each assimilated the culture and lifestyle of the host country, consequently distancing themselves from their national identity. Rüstəm bəy adopts Russian intelligentsia attire: a suit, vest, collared shirt, and tie. Mirzə Məhəmmədəli appears in traditional Iranian clothing, while Səməd Vahid, educated in Istanbul, wears a red fez, a suit, a white-collared shirt, and a tie, reflecting his support for Ottoman values (Məmmədquluzadə, 2004, p. 437).

These portrayals signify deeper cultural conflicts. Rüstəm, influenced by Russian culture, returns with aspirations to reform society, whereas Mirzə Məhəmmədəli rejects Western culture entirely, promoting Iranian traditions. These narratives provide crucial insights into the social tensions and ideological divides of the time. The author's depiction of Azerbaijan's position at the crossroads of Russian, Iranian, and Ottoman influences underscores how geography shaped cultural integration.

Changes in clothing coincided with transformations in thought and personal development. However, not all sectors of society welcomed these innovations. Conservative factions resisted and criticized the departure from tradition. After the spread of Islam, Eastern attire evolved to obscure the body's form, emphasizing modesty. In contrast, European fashion often accentuated the female silhouette. From the 19th century onward, women's clothing in the South Caucasus, including Azerbaijan, increasingly

reflected Western influence. As with men's atmosphere, this influence initially manifested in individual elements.

Nevertheless, the transformation in both form and content should not be merely interpreted as a shift in fashion. The static scholasticism of the medieval period gave way to a dynamic lifestyle that necessitated lighter, more comfortable clothing. Heavily ornamented outfits featuring gemstones and silver belts were replaced by simpler designs, which quickly gained popularity. By the second half of the 19th century, aristocratic women began adopting accessories like *mitaines* (French for "fingerless gloves"), typically crafted from lace or fine materials for decorative purposes. These gloves complemented outfits by emphasizing the elegance of the hands. Additional accessories included handbags and fans, which gradually replaced traditional storage pouches.

In the East, clothing was also regarded as a reflection of morality. Azerbaijani intellectuals promoting intercultural dialogue rejected the Western philosophy of prioritizing intellect over ethics, while also distancing themselves from a passive, fatalistic moralism. They supported the balanced development of intellect and morality. Prominent poets and writers of the period expressed their views on this synthesis. In *Anamın Kitabı*, Mammadguluzadeh contrasts female characters to illustrate cultural divergence. Gülbahar wears traditional Muslim attire and is literate in Islamic disciplines, whereas Zivər xanım, dressed in Western fashion with exposed neck and arms, lacks such knowledge (Məmmədquluzadə, 2004, p. 437). The intelligentsia harshly criticized women who, in embracing European fashion, lost their national identity.

Traditional wedding garments and rituals also underwent significant changes. Previously, wedding dresses were made from red fabric, a color associated with warmth, prosperity, and celebration. Accessories like red shawls for brides and grooms, red rugs at wedding entrances, and red ribbons for dowries symbolized joy and vitality. However, the Ethnographic Fund of the National Museum of History of Azerbaijan houses is a rare example of a white wedding dress from the late 19th century, indicating the beginning of Western influence. Nevertheless, as Q. Əsədova argues, the adoption of white dresses likely reflected superficial imitation rather than a meaningful cultural shift and should not be seen as commendable (Əsədova, 2015, p. 100).

Wedding customs themselves also declined after Soviet occupation. The traditional practices of weddings and mourning ceremonies came under strict state control. Collective weddings were promoted, often accompanied by emotional slogans and speeches, while elder-blessed unions were ridiculed. Despite this, some generations continued to uphold traditional values and sought the guidance of elders.

Western fashion, particularly for adults, faced criticism and resistance. Yet, innovations in children's clothing were more readily accepted. Young girls were dressed in short, ornate Western-style dresses, while boys wore caps and short trousers. These changes were especially prominent among schoolchildren. Many schools in Baku adopted European-style uniforms. As Əsədova notes, both girls' and boys' schools implemented dress codes that visually distinguished their students (Əsədova, 2015, p. 100). Eventually, these uniforms influenced everyday clothing choices, and students incorporated European-style outfits into their wardrobes.

In her memoirs, Göhvər Usubova, a graduate of the Alexander Russian-Muslim School in Baku, recalls: "We had two uniforms – one for daily wear and the other for formal ceremonies" (Cabbarov, 2011, p. 143). The key components of these uniforms – woolen jackets, suits, ties, and caps – were foreign to traditional Azerbaijani attire, symbolizing a broader cultural transformation.

Following Soviet occupation of Azerbaijan, public courses were organized with the aim of cultivating the "appearance of an exemplary Soviet citizen." Young women and girls were taught new styles and forms of dressing. The resolution of the 2nd Congress of the Communist Party of Bolsheviks of Azerbaijan (AK(b)P) in October 1920 emphasized the importance of special measures tailored to Muslim social customs, including handicraft cooperatives, literacy schools, women's clubs, and

awareness campaigns among men (Azərbaycan tarixi, vol. VI, 2008, p. 241). Consequently, the historically shaped clothing traditions of Azerbaijan entered a new phase of development under the influence of European fashion. This phenomenon was not exclusive to Azerbaijan but was also observable in other Eastern countries such as the Ottoman Empire and Iran. The modernization process began with subtle changes in clothing details, and Western cultural influence became evident even in ceremonial practices, which traditionally preserved conservative values. Among all segments of society, the modernization of women's clothing faced the most resistance compared to that of men and children. With the establishment of Soviet rule in Azerbaijan, the formation of modern dress culture gradually led to the decline of traditional attire.

Europeanization also affected interior and exterior design, as well as dining culture, prompting a gradual shift away from Eastern aesthetics. As a result of increased contact with Europe, new elements were incorporated into Azerbaijani households. Traditional floor-spread meals ("açma" and "dəstərxan") began to disappear, replaced by tables and chairs. Although tables and chairs were previously used for writing or other tasks, they had not become widely integrated into dining practices in the Middle Ages. Initially, in the early 19th century, meals at the table were typically reserved for men, but over time, all family members began to dine together. Cutlery such as forks, spoons, and knives were introduced, replacing the practice of eating with hands. These innovations entered domestic life through merchants, intellectuals, and students who had ties with various European countries. Despite these changes, the essence of dining culture remained largely intact. Modernization was more pronounced in urban areas, whereas rural communities continued to preserve traditional dining customs. Even today, floor-spread meals are still common in villages, where food is eaten by hand and cutting bread with a knife is considered inappropriate.

Tea and dining sets became essential elements of a neat and orderly dining table, attracting significant attention. The desire to own high-quality sets in accordance with one's taste and budget stimulated the entry of foreign manufacturers into the local market. During this new period, European countries acquired the secrets of porcelain production and began mass manufacturing. Consequently, Azerbaijan shifted its porcelain imports from the East to the West, with France, Germany, Britain, and Russia emerging as leading producers. Due to Russia's protectionist policies and high import tariffs on foreign goods, Russian porcelain brands such as "Imperial," "Gardner," and "Kuznetsov" became highly popular in Azerbaijani households.

One of the most well-known porcelain stores in late 19th to early 20th century Baku was the "Blestyashchiy Magazin," popularly referred to by locals as "Şəşə" (meaning "glass"). This store offered porcelain products from China, Japan, England, Russia, France, Germany, and Italy. It procured its goods directly from manufacturers and even had its emblem stamped on the products. For instance, a tea set preserved in the Ethnography Fund of the National Museum of History of Azerbaijan bears both the seal of the "Karl Jassen" factory in Riga and the inscription: "Mikhail Useinov's brilliant store. Baku" (MATM, EF, inv. No. 9895).

Renowned firms paid close attention to the preferences of their clientele. Items such as rosewater containers, small bowls (piyalə), cloud-shaped dishes (bulud), and hookahs (qəlyan) were in high demand in the East. Porcelain products were manufactured with local demand in mind. A special category of these items, referred to as "Eastern goods," was produced by European factories. In addition to mass production, these companies accepted special commissions from the upper classes. Such custom-made items featured family names or private emblems in ornate designs and were significantly more expensive. These exclusive items were typically found in aristocratic households. For example, a saucer adorned with lilac motifs bears the inscription "B.B. Ashurbekov" (MATM, EF, inv. No. 7957).

Historically, Azerbaijani households utilized a wide range of metal tableware, which evolved over time. However, despite the country's abundance of raw materials, its colonial status prevented the

establishment of local manufacturing industries. Extracted ores were processed in Russian factories and returned to Azerbaijan as finished goods, which in turn constrained local artisanal production and limited their market access.

Europeanization during the late 19th and early 20th centuries also influenced architecture, interior and exterior design, and the refinement of traditional construction techniques. Local building traditions were enriched, playing a significant role in creating more functional and comfortable living and working environments. Alongside functionality, attention was also given to aesthetics, with efforts made to optimize landscapes, improve urban planning, and upgrade irrigation and communication infrastructure. These developments contributed to the neatness, functionality, and visual appeal of cities, towns, and residential areas. "In 1898, the master plan for Baku, prepared by engineer Fon der Nonnen, was approved by the City Duma" (p. 168). This plan was later edited by Mammad Hasan Hajinski and became the primary document guiding the development of Baku. According to M. Suleymanov, the late 19th – early 20th century in Azerbaijan was marked by the coexistence of Eastern and Western cultures: "In the central quarters of Baku, Asia and Europe lived side by side. The city featured luxurious residences and hotels such as Metropol, Old Europe, Madrid, New Europe, Leon, as well as public baths like Ermitaj, Mironov, restaurants such as Greece, Dardanelles, and clubs like Edison, Ermitaj, Ermans, etc." (Süleymanov M., 1989, p. 77).

From the late 19th to early 20th centuries, technological progress and changes in household conditions led to innovations in traditional house types. Residences of different social classes – bourgeois landowners, workers, and peasants – differentiated not only in architectural design and decoration but also in interior organization, furnishings, and amenities. Social distinctions were also evident in residential quarters, streets, food establishments, and other public spaces. In architectural design, local composition principles and European traditions were synthesized and evolved together. The palace of philanthropist and oil magnate HZ Taghiyev serves as a prime example of the cultural synthesis of East and West. Both the European and Eastern halls of the palace reflect the highest artistic expressions of their respective cultures. "All of the interior furnishings were imported from Russia, France, America, and Germany. Furniture came from America, while damask curtains and paintings were of German origin" (Taghiyev HZ, 2010, p. 205). The building itself represents a synthesis of multiple architectural styles: "the symmetrical main façade is Italian Renaissance; the washroom is in French Rococo; the dining room is in Flemish Baroque; and the bedrooms are in modern style" (Namazova N., 2019).

Conclusion. The findings of the research reveal that European cultural influence during the late 19th and early 20th centuries left a profound mark on Azerbaijani society not only in terms of public and cultural consciousness but also at the level of everyday life. The process of Europeanization brought about extensive changes in fashion, table culture, women's social status, and educational practices. Although selective in nature, this process merged with local traditions to form a new and distinctive cultural identity. Azerbaijanis adopted Western styles clothing while reconciling them with moral values. Although dining culture incorporated new elements such as tables, chairs, and cutlery, traditional cuisine remained largely unchanged. Modernization was more evident in urban settings, whereas rural communities preserved ancestral food traditions.

Urban architecture became more elaborate and functional, while technological innovations from the West enriched local construction practices. This played a vital role in creating more convenient living and working spaces. Thus, modernization in Azerbaijan was not merely the mechanical adoption of Western influence, but a result of intercultural integration and synthesis.

References:

1. Quliyev, C. (ed.). (2008). Azərbaycan tarixi VI c. [History of Azerbaijan volume VI] [in Azerbaijania].
2. Ismayilov, M. (ed.). (2007). Azərbaycan tarixi IV c. [History of Azerbaijan volume IV] [in Azerbaijania].
3. Azərbaycan qadınları XIX–XX əsr maarifçiliyi və inqilabları dövründə [Azerbaijani Women during the 19th–20th Century Enlightenment and Revolutions] [in Azerbaijania]. [Elektron resources]. *education.gender-az.org* http://education.gender-az.org/Files/4.1.4az.pdf
4. Cabbarov, F. (2011). Hacı Zeynalabdin Tağıyevin qız məktəbinin tarixindən [From the History of HZ Taghiyev's Girls' School] [in Azerbaijania].
5. Dadashova, I. (2003). Səfəvilərin son dövrü (ingilisdilli tarixşünaslıqda) [The Late Safavid Period (in English Historiography)] [in Azerbaijania].
6. Dunyamaliyeva, S. S. (2003). Moda tarixi və dünya xalqlarının milli geyimləri [Fashion History and National Costumes of the World Peoples] [in Azerbaijania].
7. Afandiyev, R. (1960). Azərbaycanın maddi mədəniyyət nümunələri [Examples of Material Culture of Azerbaijan] [in Azerbaijania].
8. Asadova, Q. (2015). XIX əsrin sonu – XX əsrin əvvəllərində Avropa mədəniyyətinin azərbaycanlıların geyim tərzinə təsiri [Influence of European Culture on Azerbaijani Dress Style in the Late 19th and Early 20th Centuries] [in Azerbaijania].
9. Taghiyev, H. Z. (ed. Velikhanli, N.). (2010). Hacı Zeynalabdin Tağıyevin (Kitab-albom) [Haji Zeynalabdin Taghiyev (Book-album)] [in Azerbaijania].
10. Huseynov, H. (2007). Azərbaycanda XIX əsr ictimai və fəlsəfi fikir tarixindən [History of 19th Century Public and Philosophical Thought in Azerbaijan] [in Azerbaijania].
11. Mammadguluzadeh, J. (2004). Seçilmiş əsərləri (Cild 4) [Selected Works (Volume 4)] [in Azerbaijania].
12. Mammadov, Z. (2006). Azərbaycan fəlsəfəsi tarixi [History of Azerbaijani Philosophy] [in Azerbaijania].
13. Mammadova, I. (2016). Təbriz şəhərinin maddi mədəniyyəti (tarixi etnoqrafik tədqiqat) [Material Culture of the City of Tabriz (Historical Ethnographic Study)] [in Azerbaijania].
14. Namazova, N. (2019). Hacı Zeynalabdin Tağıyevin sarayı [Palace of Haji Zeynalabdin Taghiyev] [in Azerbaijania]. https://www.ens.az/az/haci-zeynalabdin-tagiyevin-sarayi
15. Suleymanov, M. (1989). Eşitdiklərim, oxuduqlarım, gördüklərim [What I Heard, Read, and Saw] [in Azerbaijania].
16. Vural, T., Koc, F., & Koc, E. (2008). Yabancı kültürlerin Osmanlı giyim kuşamına etkileri [Effects of Foreign Cultures on Ottoman Clothing] [in Azerbaijania] https://www.researchgate.net/publication/282614073_YABANCI_KULTURLERIN_OSMANLI_GIYIM_KUSAMINA_ETKILERI
17. XIX əsr–XX əsrin əvvəlləri [19th–Early 20th Centuries] [in Azerbaijania]. http://bakucity.preslib.az/az/page/DJSLYGOfq5

INTERACTIVE CINEMA ON DVD
IN THE DISCOURSE OF AUDIOVISUAL ART

Olexander Poberailo,
Postgraduate Student at the Department of Art Studies,
Kharkiv State Academy of Culture (Kharkiv, Ukraine)
ORCID ID: 0009-0003-8259-4921
poberailo@gmail.com

Abstract. This article examines interactive DVD cinema (late 1990s–mid-2000s) as an artistic phenomenon. Using art historical analysis, case studies, and comparison with the FMV format, the research explores its evolution within audiovisual and interactive media. Key results include identifying how DVD technology's capabilities (capacity, non-linear access) enabled the format, while remote control and DVD-Video limitations constrained interactivity design and aesthetics. A typology of interactive narrative strategies (nodal branching, parallel, labyrinth, environment-based) is proposed, and differences from FMV in technology, interactivity, narrative, and cultural positioning are highlighted. This study represents the first systematic art historical analysis of the format. It concludes that interactive DVDs were a unique, short-lived experimental stage influencing later interactive media. Future research directions involve in-depth case studies and digital preservation.

Key words: interactive cinema, DVD, audiovisual art, interactivity, FMV, media history, narrative strategies, interactive storytelling.

Introduction. In the evolution of audiovisual art, the pursuit of interactivity and viewer engagement is a persistent trend that has taken new forms with the development of digital technologies. The emergence of the DVD format in the late 1990s, with its expanded technical capabilities, paved the way for the creation of interactive films that allowed viewers a degree of influence over the narrative within a domestic setting. Although interactive DVD films became a notable experimental phenomenon of their time, they remain insufficiently conceptualized within academic discourse.

The relevance of this research lies in the need to address this lacuna. Unlike FMV-format interactive cinema or general theories of interactivity, the specific characteristics of interactive DVDs as a form of audiovisual art – their artistic and design solutions, narrative strategies, and aesthetics – have not received adequate systematic analysis. The problem statement stems from the lack of a comprehensive art historical understanding of this phenomenon, which limits the completeness of the picture regarding the transformation of screen arts under the influence of digital technologies.

Main part. Comprehending the phenomenon of interactive cinema on DVD within the discourse of audiovisual art necessitates engagement with scholarly work concerning the evolution of screen forms, narrative strategies, and technological innovations. Despite interactive DVD films constituting a notable phenomenon at the turn of the 20th-21st centuries, an analysis of contemporary scholarly literature indicates that within the focus of interactive media researchers, this format is often viewed merely as an episode or a transitional stage (Atkinson, 2007; Hassapopoulou, 2024).

Fundamental theoretical frameworks for analyzing interactive narratives, relevant also to the DVD format, were established by the works of J. Murray (Murray, 1997), who developed a conceptual apparatus for understanding digital environments, and E. Aarseth (Aarseth, 1997), whose theory of cybertext and ergodic literature emphasizes the active role of the user. Research into the related FMV (Full Motion Video) format is important for comparative analysis. Carl Therrien and Isabelle Raynaud (Therrien & Raynaud, 2020) analyzed its evolution and contemporary revival, while Bernard Perron (Perron, 2008), as noted by researchers, studied the specifics of 1990s "interactive films" and their

connection to cinema. This context of FMV research allows for a clearer delineation of the uniqueness of interactive DVD.

A number of researchers and practitioners have made significant contributions to the study or implementation of interactive cinema specifically on DVD and related formats. Sarah Atkinson (Atkinson, 2007) in her article analyzed in detail the impact of the DVD format on film production processes, examining interactive functions (e.g., multi-camera, character fate selection) in films like "My Little Eye" (Evans, 2002) and "Final Destination 3" (Wong, 2006), and pointing out the technical limitations of the DVD standard compared to the potential of Blu-ray. André Melzer and colleagues (Melzer et al., 2004) developed and empirically tested the concept of an Interactive Multi-Protagonist (IMP) film using the Deine Wahrheit project as an example, investigating interactivity through switching between character perspectives. Kristoffer Gansing (Gansing, 2003) analyzed interactive cinema as an "imaginary genre" reflecting a cultural desire for new forms of interaction, exploring the connection between narration, design, and control structures. Jeffrey D. Frame (Frame, 2012) in his dissertation developed a theory of non-linear film discourse, using director commentaries and other DVD release materials to analyze the structure of non-linear films.

The theoretical foundations of interactive storytelling were also developed by game design pioneer Chris Crawford (Crawford, 2004), known for his critique of simple branching structures ("constipated story"). The practical contributions of creators such as Rob Landeros are also important elements of this discourse. Separately, the research by William Thies and his co-authors (Thies et al., 2010) demonstrates the practical potential of interactive DVDs in educational applications.

The research landscape of interactive DVD cinema is thus characterized by distinct interdisciplinarity, combining perspectives from media studies, film studies, Game Studies, HCI, and other fields. However, as noted in the analyzed materials, works dedicated exclusively to interactive cinema on DVD as an artistic phenomenon are relatively few. The format is more often considered in the context of broader issues of interactivity, technology history, or specific applications.

Consequently, the relevance of this study lies precisely in the attempt to fill these gaps through a comprehensive art historical analysis of interactive cinema on DVD. Focusing on artistic-design solutions, narrative strategies, and comparative analysis with the FMV format allows not only for a reassessment of the place of interactive DVDs in the history of screen arts but also offers a new perspective on the evolution of interactive media in general. This research aims to go beyond technical or narrowly specialized analysis, considering interactive DVDs as a fully-fledged, albeit specific, phenomenon of audiovisual art deserving thorough study.

Materials and Methods. This research employed a qualitative methodology grounded in art history and media studies to analyze interactive DVD cinema as an artistic phenomenon. The study integrated several analytical approaches, allowing for a multifaceted examination reproducible through the following steps.

Literature Review: Analysis of existing scholarship on interactive media, narrative theory, DVD technology specifics, and the FMV format provided the theoretical foundation.

Art Historical Analysis: DVD works were analyzed focusing on artistic and design elements (e.g., interface, aesthetics, interactivity mechanics) and how they were influenced by the format's technological limitations (DVD-Video standard, remote control input).

Typology Development: Based on the analysis, a typology of interactive narrative strategies employed in the format was developed, including nodal branching, parallel narrative/multiperspectivity, narrative labyrinth, and environment-based interaction.

Case Study Analysis: Key examples (Scourge of Worlds, Late Fragment, Tender Loving Care) were analyzed in depth to illustrate the range of artistic approaches and inherent challenges within the format.

Comparative Analysis: Interactive DVDs were compared to the FMV format using specific criteria: technology, interactivity design, narrative potential, aesthetics, and cultural positioning.

The synthesis of findings from these methodological steps formed the basis for the research results and conclusions regarding the unique characteristics, historical significance, and artistic contributions of interactive DVD cinema within the broader context of audiovisual art and interactive media.

Results and discussion. The emergence of interactive films on the DVD medium in the late 1990s was not a sudden phenomenon but rather a logical stage in the long evolution of aspirations towards interactivity in audiovisual art. Historical predecessors that experimented with involving the viewer in the narrative date back to at least the mid-20th century. One significant early example is the Czechoslovak project "Kinoautomat" (dir. R. Činčera, 1967), presented at Expo '67, where the audience could vote on the plot development (Hassapopoulou, 2024; Melzer et al., 2004). Another important stage involved arcade games on LaserDisc in the 1980s, such as Dragon's Lair (Cinematronics, 1983) and Space Ace (Cinematronics, 1984), which utilized high-quality analog video and Quick Time Events (QTE) mechanics, demonstrating the potential of video carriers for interactive entertainment (Kent, 2001; Therrien & Raynaud, 2020). However, the limitations of these early technologies – the fragility and high cost of LaserDisc, the low video quality and small storage capacity of CD-ROM in the 1990s – hindered the development of fully-fledged interactive cinematic forms (Atkinson, 2007).

A revolutionary leap became possible with the appearance and mass dissemination of the DVD (Digital Versatile Disc) format in the second half of the 1990s (Johnson et al., 2007). Unlike previous media, DVD offered a set of technological advantages that acted as catalysts for the creation of interactive films for home use. Firstly, its significant storage capacity: a standard single-layer DVD could hold approximately 4.7 GB of data, many times exceeding the volume of a CD-ROM (around 650–700 MB). This allowed for the storage of lengthy high-quality video fragments (MPEG-2 standard), necessary for creating branching narratives and alternative scenes, overcoming the quality compromises inherent in early CD-based games. Secondly, a critically important advantage was fast non-linear data access. Unlike the linear rewinding of VHS tapes, DVD provided almost instantaneous access to any fragment on the disc, which was key for implementing branching plots without significant pauses that could disrupt viewer immersion.

Furthermore, the DVD-Video standard itself included built-in interactivity features that became the foundation for development (Marshall, 2001; Johnson et al., 2007). Interactive menus became the primary interface, allowing viewers to select chapters, options, or plot twists using the remote control. Seamless Branching technology enabled the player to smoothly switch between different video segments (stored as separate program chains – PGCs) based on user choice, creating the illusion of a cohesive, albeit non-linear, narrative. Additional capabilities were provided by support for multiple video (multi-angle) and audio streams, which opened up potential for choosing perspectives or obtaining alternative information. Finally, the presence of elementary logic and memory in the form of general-purpose registers (GPRMs) and a basic command set allowed for the implementation of simple branching logic and "remembering" the user's previous choices, although these capabilities were significantly limited (Atkinson, 2007; Melzer et al., 2004).

It was precisely this combination of large storage capacity, high video quality, fast access, and standardized interactivity tools that made DVD an attractive platform for experiments with interactive cinema in the late 1990s and early to mid-2000s. This period became a time of active exploration for new narrative forms and methods of viewer engagement, preceding the emergence of more complex interactive experiences based on streaming services and modern game engines.

The artistic and design solutions of interactive DVD films were largely determined by both the technological capabilities and limitations of the platform itself, as well as by the artistic aspirations of the authors to create new forms of viewer experience. An analysis of these solutions allows for an understanding of the specificity of interactive DVD as a unique phenomenon at the intersection

of cinema and digital media. The primary tool for viewer interaction with the work was the standard remote control of the DVD player (Marshall, 2001). This circumstance imposed significant limitations on the complexity and intuitiveness of the interface, reducing interaction primarily to navigation with arrow keys and confirming choices with the 'OK/Enter' button.

The central element of interactivity design became the on-screen menus, often implemented as overlaid images (sub-picture overlays) on top of the main video stream or appearing between video segments (Johnson et al., 2007; Melzer et al., 2004). From an art historical perspective, the design of these menus varied from purely functional, minimalist solutions to attempts at aesthetic integration into the overall visual style of the film. The use of fonts, color palettes, graphic elements, and animation in the menus became an important aspect of the artistic design, which could either enhance the atmosphere of the work or create dissonance. A significant challenge for designers was ensuring intuitive navigation and clarity in presenting choices within the limited capabilities of the remote control and DVD standards (Frame, 2012).

Visual and auditory cues were used to inform the viewer about interaction possibilities. These could include highlighted objects or areas on the screen to which the menu cursor could be "pointed," icons signaling a choice point, or specific sound signals accompanying the appearance of options or confirmation of an action (Gansing, 2003). The effectiveness of these cues was critically important: they needed to be noticeable enough for the viewer not to miss them, yet not so intrusive as to disrupt cinematic immersion and the integrity of the audiovisual image perception.

Integrating interactive segments into the overall narrative flow was another complex artistic and design challenge. The "seamless branching" technology aimed to ensure smooth transitions between video fragments (Johnson et al., 2007), however, in practice, noticeable delays or artifacts often occurred during the loading of the next segment (Atkinson, 2007). These technical shortcomings could be perceived as "seams" in the fabric of the work, disrupting the tempo-rhythm and the effect of presence. Chris Crawford (Crawford, 2004) criticized similar structures involving interruptions for choices as a "constipated story," highlighting the fundamental tension between narrative fluidity and the discreteness of interactive elements. Artistic skill lay in either minimizing these breaks as much as possible or, conversely, conceptualizing them as part of the format's specific aesthetics.

Thus, the artistic and design solutions of interactive DVDs were formed at the intersection of the authors' artistic ambitions, technical capabilities, and the limitations of the DVD-Video platform. Analysis of the interface design, visual and auditory components of interactivity, as well as methods of their integration into the narrative structure, allows interactive DVDs to be considered not only as technological artifacts but also as a specific form of audiovisual art with its unique expressive means and aesthetic challenges.

Interactive DVD films, although technologically limited, became a field for various experiments with narrative structures that went beyond traditional linear storytelling. Analysis of these experiments allows for the proposal of a typology of interactive narrative strategies used in this format, focusing on how interactivity influenced the construction of the story, the perception of time, space, and characters.

One of the most common strategies was the nodal branching narrative, which largely followed the model of the popular "Choose Your Own Adventure" (CYOA) gamebooks (Atkinson, 2007). In such works, the viewer progresses through a predominantly linear plot, which is interrupted at specific "nodal" points with an offer to make a choice. This choice directs the narrative along one of several predetermined branches, potentially leading to different plot developments and alternative endings. This strategy transforms the traditional narrative structure, granting the viewer limited agency in shaping the plot within the confines of the author-created story world. Examples of this strategy include the animated film Choose Your Own Adventure: The Abominable Snowman (Doucette, 2006), which

directly adapted the book series, and Scourge of Worlds: A Dungeons & Dragons Adventure (Krech, 2003), where the choice of tactical decisions for a group of characters determined the subsequent course of events. A drawback of this strategy was often the fragmentation of the experience and the potential "illusion of choice," where different branches eventually converged or offered only minor variations.

Another strategy involved the creation of a parallel narrative or multiperspectivity. Instead of changing the course of events, the viewer was offered the chance to view the story from the perspectives of different characters or choose between different camera angles, if such a function was implemented (Melzer et al., 2004). This strategy is related to Janet Murray's concept of the "multiform story" (Murray, 1997) and was explored in experimental IMP films (Melzer et al., 2004). It allowed for a deeper understanding of characters, exploration of subjective perception, and the creation of a more complex, polyphonic narrative structure without destroying the causal links of the main story. The film Late Fragment (Cloran, 2007) partially employed this approach, allowing switching between fragments of the lives of three characters.

A third type can be defined as the narrative-labyrinth or non-linear navigation. This strategy rejected clear linear progression and branching, instead offering the viewer the opportunity to explore a collection of interconnected narrative fragments, independently constructing their own version of the story from them (Gansing, 2003). Often, such structures utilized narrative loops, where the absence of choice or specific actions returned the viewer to previous points or looped the viewing (Koenitz, 2023). This strategy emphasizes processuality and the fragmented nature of the experience; it can evoke a sense of disorientation but simultaneously stimulates the viewer's interpretative activity. Examples include the aforementioned film Late Fragment (Cloran, 2007).

Finally, a strategy of interactivity through environment exploration can be identified. Here, interaction consisted less in choosing plot twists and more in the ability to "explore" the presented locations (often static or limitedly dynamic), activating hidden narrative elements, diaries, character thoughts, or additional visual information. This strategy shifted the emphasis from plot development to the revelation of the work's world or the psychology of the characters. An example is the film Tender Loving Care (Wheeler, 1998), where the viewer could explore rooms of the house and interact with objects, which supplemented the main story and influenced the psychological profile "compiled" by the program.

Therefore, it can be said that interactive DVD films, despite their technological limitations, became a platform for diverse artistic experiments with narrative strategies. Understanding these strategies allows for a deeper appreciation of the format's contribution to the evolution of interactive forms of audiovisual art and its dialogue with traditional cinema and video games.

A deeper analysis of specific interactive DVD films serves to illustrate the diversity of artistic approaches and the challenges associated with this format. Let us consider several significant examples that represent different narrative strategies and genre solutions.

One example of the use of nodal branching narrative in an animated format is Scourge of Worlds: A Dungeons & Dragons Adventure (Krech, 2003). This film, based on the popular tabletop role-playing game, attempted to translate the decision-making experience inherent in Dungeons & Dragons into a cinematic form. The viewer was prompted to control the actions of a group of adventurers at key moments using the remote control, selecting one of the proposed options, which led to different plot branches and several possible endings. Artistic and design solutions included the use of computer animation (CGI), which was an ambitious step at the time; however, the quality of the animation, especially character facial expressions, received mixed reviews. From an art historical perspective, this case is interesting as an attempt to adapt game logic and interactivity within the DVD format, but it simultaneously demonstrates its limitations: critics and users noted not only problems with visual execution but also navigational awkwardness, particularly the inability to skip previously viewed

scenes when exploring alternative paths, which significantly degraded the viewer experience and limited the work's artistic impact.

A more experimental approach to the narrative-labyrinth was implemented in the Canadian film Late Fragment (CFC Features, 2007). This work, created using live actors (FMV), rejected clear branching in favor of non-linear navigation between interconnected fragments of the stories of three characters whose lives are linked by the theme of restorative justice. The interactivity design involved the ability to "click" (using the remote control) on specific objects or characters directly during scene playback, which initiated a transition to another narrative segment. The film utilized narrative loops, automatically redirecting the viewer if a choice was not made quickly. The artistic solution lay in creating a fragmented, mosaic-like experience that prompted the viewer towards active interpretation and construction of their own understanding of events and characters. Despite high cinematic quality and festival recognition, Late Fragment also demonstrated the challenges of this approach: fragmentation could complicate emotional engagement and character development, and the mechanistic nature of transitions and loops sometimes disrupted immersion (Lost Phee Film, 2014). This case illustrates an attempt to use interactivity not so much to change the plot, but rather to explore the structure of memory, trauma, and subjective perception.

The psychological thriller Tender Loving Care (Wheeler, 1998) is an example of using interactivity through environment exploration and psychological profiling. The film with live actors (notably, John Hurt as a psychotherapist) combined viewing video scenes with unique interactive elements: the viewer was asked psychological questions, the answers to which were intended to influence the presentation of subsequent scenes and character reactions; there was also the possibility to explore rooms of the house, finding additional information in the form of diaries or objects, and to take Thematic Apperception Tests. The artistic intent was to create a personalized experience where the narrative ostensibly adapted to the viewer's psychological profile. However, despite conceptual ambition, the implementation received mixed, often negative, reviews. Critics noted the slow pace, weak script, unconvincing characters, awkwardness of the exploration mode, and, crucially, the non-obvious connection between viewer choices and actual changes in the narrative, which created a sense of the "illusion of choice" (Short, 2015; TheGamer, 2020). Tender Loving Care serves as a vivid example of an experiment where artistic aspirations for deeper interactivity and psychologism clashed with the platform's technological limitations and the difficulties of implementing complex adaptive systems.

These case studies demonstrate the wide range of artistic strategies employed in interactive DVD films: from adapting game mechanics and popular franchises to arthouse experiments with narrative structure and attempts at psychological profiling of the viewer. At the same time, they highlight common problems related to the limitations of DVD technology, the challenges of designing intuitive interactivity, and the difficulty of integrating interactive elements into a cohesive audiovisual work without compromising immersion.

Although interactive DVD films and FMV (Full Motion Video) format cinema/games are often considered related phenomena due to their use of video as the primary medium and aspiration towards interactivity, their comparative analysis within the discourse of audiovisual art reveals significant differences in technological foundations, artistic-design solutions, narrative possibilities, and cultural positioning. Understanding these differences is key to determining the place of each format in the history of interactive media and the evolution of screen arts.

The fundamental divergence lies in the technological base and its artistic capabilities. Interactive DVDs operated within the rigid DVD-Video standard, using its built-in but limited tools: menu navigation via remote control, seamless branching, and the elementary logic of GPRM registers (Atkinson, 2007). This technologically determined the design of interactivity, reducing it primarily to discrete choices at predetermined points. In contrast, FMV projects, although using various media

(LaserDisc, CD-ROM, modern digital formats), functioned based on gaming platforms or computers, which provided significantly greater flexibility in implementing interaction mechanics (Therrien & Raynaud, 2020). This allowed FMV games to implement a broader spectrum of interactive models – from QTE and point-and-click to dialogue systems and innovative mechanics like database searching or visual linking in contemporary examples (Barlow, 2015).

These technological differences directly influenced the design of interactivity and narrative structures. Interactive DVDs often suffered from experiential discontinuity due to the need to pause for menu choices. Narrative strategies, although varied, were often limited to simple branching or experimental labyrinths. The FMV format, especially in its modern iteration, demonstrates greater potential for complex, non-linear, and fragmented narratives, where player agency is expressed not only in choosing a path but also in interpreting and constructing the story (e.g., Her Story, Immortality) (Barlow, 2015; Barlow, 2022). Interaction mechanics in FMV can be more closely integrated into gameplay, whereas in DVD, it often appeared as an external layer superimposed on the video stream.

Aesthetics and production practices also differ. Interactive DVDs, striving to be "films," often oriented towards standard cinematic aesthetics (as in Late Fragment) or used CG animation (Scourge of Worlds). FMV games have a more complex aesthetic history: from high-quality animation (Dragon's Lair) to the specific "B-movie" or "camp" aesthetic of the 1990s, conditioned by budget constraints and the technical shortcomings of video on CD-ROM (Therrien & Raynaud, 2020). Contemporary indie FMV often consciously reinterprets this aesthetic, turning it into a stylistic device (VICE, 2016). Production processes also differed: interactive DVD features were often added during the post-production stage of the main film (Atkinson, 2008), whereas FMV games were developed from the outset as interactive products, albeit using cinematographic filming methods.

Finally, their cultural positioning and reception differ significantly. Interactive DVDs were primarily perceived as an extension of home video capabilities, a niche experiment within film discourse, or an educational tool (Thies et al., 2010). The FMV format, conversely, has always been more strongly associated with the history and culture of video games (Kent, 2001). Even while striving for cinematic qualities, FMV games were evaluated primarily by gaming criteria (gameplay, interactivity, replayability), which often led to criticism of their "insufficient gameplay" in the 1990s (Therrien & Raynaud, 2020). The contemporary revival of FMV is occurring specifically on gaming platforms like Steam and is perceived as part of the narrative games category. This difference in positioning influenced audience formation, critical reception, and the overall cultural footprint of each format.

Thus, the comparative analysis indicates that interactive DVDs and FMV, despite their shared use of video and interactivity, are distinct phenomena within audiovisual art and interactive media. Interactive DVDs remained a technologically determined experiment with limited artistic impact, whereas FMV, having gone through cycles of ups and downs, demonstrated greater flexibility, capacity for evolution, and integration into gaming culture, finding its contemporary niche.

Conclusions. The conducted research has allowed for the conceptualization of the phenomenon of interactive cinema on DVD as a specific artistic occurrence within the context of the evolution of audiovisual and interactive media. Based on the analysis of scholarly work, technological prerequisites, artistic-design solutions, narrative strategies, and comparison with the FMV format, it can be asserted that interactive DVDs, despite their niche status and relatively short period of active development (late 1990s – mid-2000s), constitute an important, though often underestimated, stage in the history of screen arts.

It was established that the advent of DVD, with its unique technological capabilities at the time (large capacity, fast access, seamless branching, interactive menus), created a platform for realizing long-standing aspirations to overcome viewer passivity. Analysis of the artistic and design features revealed a close connection between artistic decisions and the format's technological limitations,

particularly the dependence on the remote control interface and the challenges of integrating interactive elements into a cohesive audiovisual stream without disrupting immersion.

The proposed typology of narrative strategies (nodal branching narrative, parallel narrative/ multiperspectivity, narrative-labyrinth, interactivity through environment exploration) demonstrated the diversity of experimental approaches to constructing non-linear narratives within the DVD framework. Case studies of significant examples, such as Scourge of Worlds, Late Fragment, and Tender Loving Care, illustrated both the potential and the typical problems in implementing these strategies. Comparative analysis with the FMV format clearly showed differences in technological foundations, interactivity design, narrative possibilities, and cultural positioning, highlighting the unique developmental trajectory of each format: DVD as an attempt to expand the capabilities of cinema, FMV – as an attempt to "cinematize" games.

The scientific novelty of this research lies in presenting interactive DVDs as an independent object of art historical analysis, focusing on their artistic-design aspects, and the proposed typology of narrative strategies from an art historical perspective. The work also contributes to filling gaps in the scholarly reception, which often regarded this format merely as a technical curiosity or an episode in the history of interactive media overall.

Despite the format's decline, the legacy of interactive DVDs lies in their role as an experimental platform where ideas were tested and problems identified that remain relevant for contemporary interactive media (Atkinson, 2007; Hassapopoulou, 2024). They became an important precedent in the search for balance between authorial vision, viewer agency, and technological capabilities.

Prospects for further research into this phenomenon include, firstly, the need for in-depth art historical analysis of specific interactive DVD film cases. Such analysis, going beyond a general overview, will allow for a detailed study of the unique artistic-design solutions, narrative structures, and user experience features inherent in individual works, more fully revealing their contribution to the evolution of interactive audiovisual art. Secondly, the issue of archiving and preserving the digital heritage of interactive DVDs remains relevant, requiring the development of appropriate methodologies and practices to prevent the loss of these unique media art artifacts.

Studying interactive DVD films allows not only for the reconstruction of an important stage in media history but also for a better understanding of the ongoing processes transforming audiovisual culture under the influence of interactivity and digital technologies.

References:
1. Aarseth, E. J. (1997). Cybertext: Perspectives on ergodic literature. Johns Hopkins University Press.
2. Atkinson, S. (2007). The Versatility of Visualization: Delivering Interactive Feature Film Content on DVD. *NEBULA: A Journal of Multidisciplinary Scholarship 4.* http://nobleworld.biz/images/ Atkinson.pdf
3. Barlow, S. (2015). Her Story [Video game]. Sam Barlow.
4. Barlow, S. (2022). Immortality [Video game]. Half Mermaid Productions.
5. Canadian Film Centre. (n.d.). Late Fragment. CFC Creates. https://cfccreates.com/content-hub/ late-fragment/
6. Cinematronics. (1983). Dragon's lair [Video game]. Cinematronics.
7. Cinematronics. (1984). Space ace [Video game]. Cinematronics.
8. Cloran, D., Doron, A., & Guez, M. (Directors). (2007). Late fragment [Film]. Canadian Film Centre; National Film Board of Canada.
9. Doucette, B. (Director). (2006). Choose your own adventure: The abominable snowman [Film]. Lean Forward Media; Mike Young Productions.
10. Evans, M. (Director). (2002). My little eye [Film]. Universal Pictures; StudioCanal; Working Title Films; WT2 Productions.
11. Crawford, C. (2004). Chris Crawford on interactive storytelling. New Riders.

12. Gansing, K. (2003). The Myth of Interactivity or the Interactive Myth?: Interactive Film as an Imaginary Genre. *Proceedings of the Fifth International Digital Arts and Culture Conference, RMIT, Melbourne,* 19–23 May. http://www.designersnotebook.com/Lectures/Challenge/challenge.htm
13. Hassapopoulou, M. (2024). Interactive cinema: The ambiguous ethics of media participation. University of Minnesota Press.
14. Frame, J. D. (2012). The "omnis"text in nonlinear film discourses. [Dissertation: Doctor of philosophy]. Middle Tennessee State University. https://jewlscholar.mtsu.edu/bitstreams/8b365750-b28d-4252-8ffc-ba4a56d8e412/download
15. Johnson, M., Anderson, D., Durkin, K., & Gross, K. (2007). High-definition DVD handbook: Producing for HD-DVD and Blu-Ray Disc. McGraw-Hill.
16. Kent, S. L. (2001). The ultimate history of video games: From Pong to Pokemon and beyond. Three Rivers Press.
17. Koenitz, H. (2023). Understanding interactive digital narrative: Immersive expressions for a complex time. Routledge.
18. Krech, D. (Director). (2003). Scourge of worlds: A Dungeons & Dragons adventure [Film]. Creative Differences; Dan Krech Productions.
19. Lost Phee Film. (2014). Interactive–Late Fragment: An Interactive Film (of Study). Films of Study. https://lostfilms.wordpress.com/2014/04/05/late-fragment-an-interactive-film-of-study/
20. Marshall, D. (2001). Interactive DVD features. Cardiff University. https://users.cs.cf.ac.uk/Dave.Marshall/Multimedia/node138.html
21. Melzer, A., Hasse, S., Jeskulke, O., Schön, I., & Herczeg, M. (2004). The Interactive and Multi-protagonist Film: A Hypermovie on DVD. *Proceedings of the 2004 ACM SIGCHI International Conference on Advances in computer entertainment technology* (pp. 268–277). https://www.researchgate.net/publication/228790190_The_Interactive_and_Multi-protagonist_Film_A_Hypermovie_on_DVD
22. Murray, J. H. (1997). Hamlet on the Holodeck: The future of narrative in cyberspace. MIT Press.
23. Perron, B. (2008). Methodological questions in «interactive film studies». *New Review of Film and Television Studies*. № 6, Vol 2, 2008. 233–252. https://www.academia.edu/4188105/_2008_Methodological_questions_in_interactive_film_studies_journal_
24. Short, E. (2015). Tender Loving Care (Trilobyte). Emily Short's Interactive Storytelling. https://emshort.blog/2015/08/14/tender-loving-care-trilobyte/
25. TheGamer. (2020). 5 Worst FMV Games Of All Time (& 5 Best). https://www.thegamer.com/best-worst-fmv-full-motion-video-games
26. Therrien, C., & Raynaud, I. (2020). From dead-end to cutting edge: Using FMV design patterns to jumpstart a video revival. Game Studies, 20(4). https://gamestudies.org/2004/articles/therrienporembaray
27. Thies, W., Gaikwad, K., Paruthi, G., & Ittan, S. (2010). Interactive DVDs as a platform for education. Proceedings of the 4th ACM/IEEE International Conference on Information and Communication Technologies and Development (pp. 1–10). Association for Computing Machinery. https://doi.org/10.1145/1926180.1926183 https://www.researchgate.net/publication/228628486_Interactive_DVDs_as_a_platform_for_education
28. VICE. (2016). More Than Fuzzy Nostalgia, FMV Games Still Matter Today. https://www.vice.com/en/article/more-than-fuzzy-nostalgia-fmv-games-still-matter-today/
29. Wheeler, D. (Director). (1998). Tender loving care [Film]. Aftermath Media.
30. Wong, J. (Director). (2006). Final destination 3 [Film]. New Line Cinema; Hard Eight Pictures; Practical Pictures; Matinee Pictures; Zide/Perry Productions.

THEORY AND INNOVATIONS OF PUBLIC ADMINISTRATION

DIGITAL ASPECTS OF GOOD GOVERNANCE: EXPERIENCE OF THE REPUBLIC OF AZERBAIJAN

Elvin I. Azizbayov,
Dr, Professor, Academy of Public Administration under the President
of the Republic of Azerbaijan (Baku, Azerbaijan)
ORCID ID: 0000-0002-1164-953X
eazizbayov@dia.edu.az

Abstract. This study analyzes the experience of the Republic of Azerbaijan within the framework of digital governance and good governance. The integration of digital technologies into public administration has enabled the implementation of good governance principles such as transparency, accountability, participation, and efficiency in a more effective and inclusive manner. The article presents the conceptual foundations of digital governance based on the theoretical frameworks of international organizations (World Bank, UNDP, OECD) and scholars (Jane Fountain, Manuel Castells, Merilee Grindle, Francis Fukuyama). Azerbaijan's institutional steps in this field – including ASAN Service, the Ministry of Digital Development and Transport, the Electronic Government Development Center, the Digital Trade Hub, and the Cyber Security Service – demonstrate a systematic approach to the digitalization process. Statistical indicators, the ASAN Service Index, and examples of top-rated digital services are used to illustrate the concrete outcomes of digital governance. The article concludes that digitalization is not merely a technological process but a structural reform that brings qualitative change to citizen–government relations. Azerbaijan's experience provides an important example for developing countries in transforming digital governance into a core component of good governance.

Key words: digital governance, good governance, ASAN service index, transparency, e-government.

Introduction. The rapid advancement of digital technologies has fundamentally reshaped the paradigms of governance in the 21st century. As states increasingly integrate digital tools into their administrative and political processes, the concepts of digital governance and good governance have become inextricably linked. While good governance emphasizes transparency, accountability, participation, and effectiveness, digital governance offers the technological infrastructure and innovation necessary to achieve these goals more efficiently and inclusively.

In this regard, the topic of the study is highly relevant in today's rapidly evolving administrative and technological landscape. As digital transformation becomes a global priority for enhancing public sector effectiveness, Azerbaijan's experience offers a compelling case of how digital tools can be leveraged to improve governance quality, promote transparency, and increase citizen participation. The country's systematic adoption of e-government platforms, data-driven decision-making, and innovative public service models like ASAN reflects broader trends toward digital governance reform. Studying Azerbaijan's progress not only sheds light on the practical implications of digitalization in a developing context but also contributes to global discussions on building inclusive, efficient, and accountable governance systems in the digital age.

So, the purpose of the study is to examine how digitalization has contributed to the development of good governance practices in the Republic of Azerbaijan through enhanced transparency, participation, and service delivery. In this direction, this study adopts a qualitative research approach, focusing on document and content analysis of official reports, government strategies, and statistical data. Primary sources include state portals such as e-gov.az and dxr.az, as well as policy documents like the

"Digital Development Concept of the Republic of Azerbaijan." The analysis is supported by academic literature and theoretical perspectives on digital governance and good governance. Comparative and interpretive methods are also employed to contextualize Azerbaijan's experience within global digital governance trends.

Conceptual Framework of Digital Governance and Good Governance. Good governance is a normative framework that defines the standards by which public institutions should operate to ensure fairness, accountability, and efficiency in decision-making and public service delivery. The concept gained prominence in the 1990s through the work of international organizations such as the World Bank, United Nations Development Programme (UNDP), and the OECD, which emphasized governance as a critical component of sustainable development. According to the World Bank, good governance is characterized by features such as transparency, accountability, participation, rule of law, effectiveness, equity, and responsiveness. These principles aim to promote trust in public institutions and ensure that governmental processes serve the needs and rights of citizens (Hu & Zhang, 2023, p. 562).

One of the core elements of good governance is transparency, which refers to the openness and accessibility of information regarding governmental actions and decisions. Transparency is closely tied to accountability, which ensures that public officials are answerable for their conduct and the outcomes of their policies. Equally important is participation, the principle that citizens should have the opportunity to contribute to policy formation and implementation. These attributes are interdependent and mutually reinforcing; for instance, without access to information, meaningful citizen participation becomes limited, and accountability mechanisms are weakened. Thus, good governance requires an integrated and holistic approach that considers the structural, procedural, and normative dimensions of governing (Decuypere & Lewis, 2021).

The academic development of the concept has been shaped by scholars such as Merilee Grindle, who argued that good governance should be context-specific and pragmatically oriented, rather than an idealized checklist. She distinguished between "good enough governance" and ideal models, suggesting that countries at different stages of institutional development may prioritize different governance objectives (Grindle, 2024). Similarly, Francis Fukuyama emphasized the need to balance state capacity with rule-based constraints to achieve governance that is both effective and legitimate (Fukuyama, 2013). These theoretical contributions highlight that good governance is not only a set of abstract ideals but also a practical and evolving model shaped by political culture, institutional capacity, and societal expectations.

In this regard, the digital transformation of the public sector has introduced new paradigms in the theory and practice of governance. As states increasingly adopt information and communication technologies (ICTs) to enhance administrative efficiency and public service delivery, the conceptual convergence between digital governance and good governance becomes more significant. The former is understood as a mechanism or toolset, while the latter refers to normative standards of governing. Scholars such as Jane Fountain, Manuel Castells, and institutions like the World Bank and the United Nations Development Programme (UNDP) have played foundational roles in shaping these concepts.

The theoretical foundation of digital governance was notably advanced by Jane E. Fountain, whose seminal work "*Building the Virtual State: Information Technology and Institutional Change*" emphasized the interplay between technological innovation and institutional transformation. Fountain argued that digital governance is not merely the automation of services but a reconfiguration of state-citizen relations and institutional behavior. She introduced the concept of "*technological enactment*," highlighting how institutional norms and path dependencies shape the use of digital technologies in governance (Fountain, 2001).

Manuel Castells, in his influential trilogy "*The Information Age*", particularly emphasized the emergence of the "network society" and its implications for governance. He argued that power in the

digital age is increasingly embedded in networks rather than hierarchical structures. This reconceptualization of power relations implies that digital governance should be understood as a fluid, interactive, and decentralized process – a condition conducive to more transparent and participatory forms of governance (Castells, 1999).

From an institutional perspective, the World Bank's 1992 report on governance laid the groundwork for the modern understanding of good governance by outlining its key components: accountability, transparency, rule of law, participation, responsiveness, and effectiveness (World Bank, 1992). Later, in the digital era, the World Bank incorporated digitalization into its governance agenda, promoting e-government initiatives and digital public sector reforms across developing countries, including Azerbaijan.

The United Nations Development Programme (UNDP) has also been instrumental in linking digital tools with governance outcomes. According to UNDP, digital governance supports the Sustainable Development Goals (SDGs), particularly SDG 16 (Peace, Justice and Strong Institutions). The UNDP emphasizes that digital technologies should enhance inclusion, human rights, and public trust, rather than merely serve efficiency goals.

Nonetheless, scholars such as Christopher Hood have warned of potential risks in "*digital-era governance*," including the rise of surveillance, technocratic decision-making, and the marginalization of digitally excluded groups. Hood emphasizes that while digital tools can improve governance quality, they must be deployed within ethical, legal, and democratic safeguards (Hood, 1991).

To sum up, the conceptual framework linking digital governance with good governance is the result of interdisciplinary theoretical work and institutional reflection. Thinkers such as Jane Fountain and Manuel Castells provided essential paradigms that shifted the focus from technology as an instrument to technology as a structural force in governance. Institutions like the World Bank and UNDP further articulated how digitalization can support normative governance goals. However, the theoretical optimism must be balanced with cautionary insights from scholars like Christopher Hood. A well-grounded understanding of these conceptual contributions is crucial for evaluating and guiding digital governance reforms, especially in transitional democracies like Azerbaijan, where such reforms hold transformative potential.

Digital governance has emerged as a critical enabler of good governance by providing tools and platforms that enhance transparency, accountability, efficiency, and citizen participation. Through the adoption of information and communication technologies (ICTs), governments can streamline administrative processes, reduce bureaucratic inefficiencies, and minimize corruption risks. For example, online service portals, e-payment systems, and digital identity platforms simplify access to public services and reduce the discretionary power of officials, thus reinforcing principles of equity and fairness. In this way, digital governance operationalizes key elements of good governance, making institutions more responsive and citizen-oriented.

Furthermore, digital governance strengthens transparency and accountability by facilitating real-time access to information and enabling data-driven decision-making. Open data initiatives, digital budget tracking, and online performance dashboards allow citizens and civil society organizations to monitor government activities more effectively. These mechanisms not only build public trust but also create feedback loops that can improve policy implementation. Moreover, digital tools support anti-corruption efforts by documenting government transactions and interactions, reducing the space for opaque practices. In countries such as Estonia and South Korea, digital governance has played a transformative role in institutionalizing accountability and improving governance quality.

Equally significant is the role of digital governance in promoting inclusive participation and civic engagement, which are essential pillars of good governance. Online consultations, e-petitions, participatory budgeting platforms, and social media channels empower citizens to express their views and contribute to policymaking beyond traditional forums. These tools lower barriers to participa-

tion, particularly for marginalized groups who may face obstacles in accessing conventional political spaces. However, ensuring digital inclusivity requires addressing challenges such as the digital divide, cybersecurity risks, and data privacy concerns. When effectively designed and ethically managed, digital governance becomes not only a support mechanism for good governance but an integral dimension of it in the digital age.

Institutional Developments in Azerbaijan's Digital Governance. Institutional developments play a pivotal role in shaping the success of digital governance, as they provide the structural and legal foundation necessary for implementing technological reforms in public administration. In Azerbaijan, the transition toward digital governance has been marked by a series of strategic reforms and the establishment of key institutions aimed at modernizing state-citizen relations, improving service delivery, and enhancing transparency. These reforms reflect the government's broader vision to align with global digital transformation trends while addressing national development priorities. By creating specialized agencies, legal frameworks, and integrated platforms, Azerbaijan has laid the groundwork for a more agile, data-driven, and citizen-oriented governance system.

In this regard, the establishment of ASAN Service on July 13, 2012, and the formation of the Ministry of Digital Development and Transport on October 11, 2021, represent two pivotal institutional reforms in Azerbaijan's transition toward digital governance. ASAN Service introduced a new model of citizen-centric public service delivery, consolidating various government functions under a single, transparent, and efficient platform that significantly reduced bureaucratic complexity and corruption (ASAN Xidmət, 2025). It became a symbol of administrative modernization by embedding digital tools and process simplification into everyday governance. The later creation of the Ministry of Digital Development and Transport further institutionalized the digital agenda by centralizing responsibilities related to ICT policy, digital infrastructure, and innovation. Together, these reforms have laid the foundation for a coordinated and systemic approach to e-governance in Azerbaijan, aligning national objectives with global trends in public sector digitalization.

The establishment of the Cyber Security Service (CERT.AZ) on September 26, 2012, marked a critical institutional reform in Azerbaijan's digital governance trajectory, ensuring that the rapid expansion of e-government services was matched with robust cybersecurity infrastructure. As a central coordinating body, the agency plays a key role in protecting national information systems, raising public awareness, and providing methodological support to institutions and private entities (Elektron Təhlükəsizlik Xidməti, 2025).

The formation of the "Electronic Government Development Center" under the State Agency for Public Service and Social Innovations, based on Presidential Decree No. 1885 dated March 14, 2018, constitutes a major institutional reform in Azerbaijan's transition to digital governance. Rooted in earlier initiatives such as the "State Program on the Development of Communication and Information Technologies for 2010–2012 (Electronic Azerbaijan)" and the Presidential Decree of May 23, 2011, on organizing electronic service provision by state bodies, this reform reflects the country's commitment to aligning with international best practices. The Center serves as the key coordinating body in implementing and expanding the e-government ecosystem, working closely with other government institutions to establish the necessary technical and organizational infrastructure. Its mandate includes not only managing digital platforms and services but also ensuring interoperability among state information systems, thereby enabling a more integrated, transparent, and efficient public administration (Elektron Hökumət, 2025a).

The establishment of the Digital Trade Hub (DTH) of Azerbaijan represents a significant milestone in the country's broader strategy to position itself as a regional leader in digital governance and cross-border e-commerce. Initiated by a 2017 presidential decree, DTH functions as a state-private partnership platform aimed at enhancing the infrastructure for electronic trade while expanding the accessibility of digital public and business services to foreign citizens. Through innovative services

such as m-residency and e-residency – making Azerbaijan the first country globally to offer mobile residency and the second after Estonia to implement e-residency – DTH facilitates digital inclusion for non-residents by providing them with virtual identification numbers, business certificates, and access to government portals. Additionally, the hub streamlines procedures for online company registration, digital signatures, bank account setup, export documentation, and electronic certificates of free sale, thereby reducing bureaucratic barriers and minimizing state-business contact. Backed by a consortium including PASHA Bank, B.EST Solutions, AzerTelecom, and the Center for Analysis of Economic Reforms and Communication, the initiative underscores Azerbaijan's ambition to build a modern digital ecosystem with global outreach. The DTH has already demonstrated tangible outcomes, with over 100 foreign users from 30 countries benefiting from its services between 2018 and 2020, signaling the country's proactive approach to integrating digital innovation into governance and international economic engagement (AR Rəqəmsal İnkişaf və Nəqliyyat Nazirliyi, 2025).

The approval of the "Digital Development Concept of the Republic of Azerbaijan" in January 2025 marks a pivotal step toward institutionalizing digital transformation within the country's public administration. Framing digitalization as the next evolutionary phase beyond traditional e-government, the concept emphasizes the transition toward a full-fledged GovTech model. In this framework, governance is no longer solely about service provision but about creating a dynamic and data-driven system that enables agile, secure, and integrated decision-making processes across state institutions (G2G), public employees (G2E), citizens (G2C), and businesses (G2B). The approach prioritizes interoperability, real-time data analytics, and automation, thereby reducing human discretion in decision-making and enhancing the efficiency, objectivity, and transparency of administrative processes. Central to this transition is the creation of a standardized organizational and technical infrastructure that supports automated data collection, cross-system communication, and algorithm-based decision-making mechanisms (AR Prezidenti, 2025).

Moreover, the Concept advocates for a shift from document-based administration to data-centric governance by promoting advanced digital tools such as artificial intelligence, machine learning, blockchain technologies, cloud computing, and the Internet of Things (Hüseynzadə, 2025). These technologies are not merely seen as operational enhancements but as transformative tools that redefine state-citizen interactions and public service delivery. The model envisions a platform-based architecture that enables multi-agency service provision through unified systems like the Government Cloud (G-Cloud), optimizing resource allocation and ensuring cybersecurity. Notably, citizen satisfaction, private sector participation, and continuous feedback mechanisms are integrated as key quality indicators of digital government. This signals a governance model in which citizens and businesses are not passive recipients but active participants in shaping public services, guided by principles of flexibility, inclusiveness, and evidence-based responsiveness.

Impact of Digitalization on Transparency, Participation, and Service Delivery. The impact of digitalization on transparency, participation, and service delivery has become a central focus in assessing the quality of governance in the digital age. In Azerbaijan, this transformation is not merely reflected in policy declarations but is also supported by measurable progress across key sectors and occupational groups. As digital tools are increasingly integrated into public administration and citizen engagement mechanisms, they contribute to more open, responsive, and efficient governance structures. The country's advancements in digital access – illustrated by rising usage rates among civil servants, professionals, and service sector employees – highlight a practical alignment between digitalization and the core principles of good governance. These figures offer empirical support for the argument that Azerbaijan's digital reforms are yielding tangible outcomes in enhancing state-society interaction.

One of the most significant indicators of digitalization's impact on governance in Azerbaijan is the increasing use of digital platforms to obtain information from government institutions, as reflected by
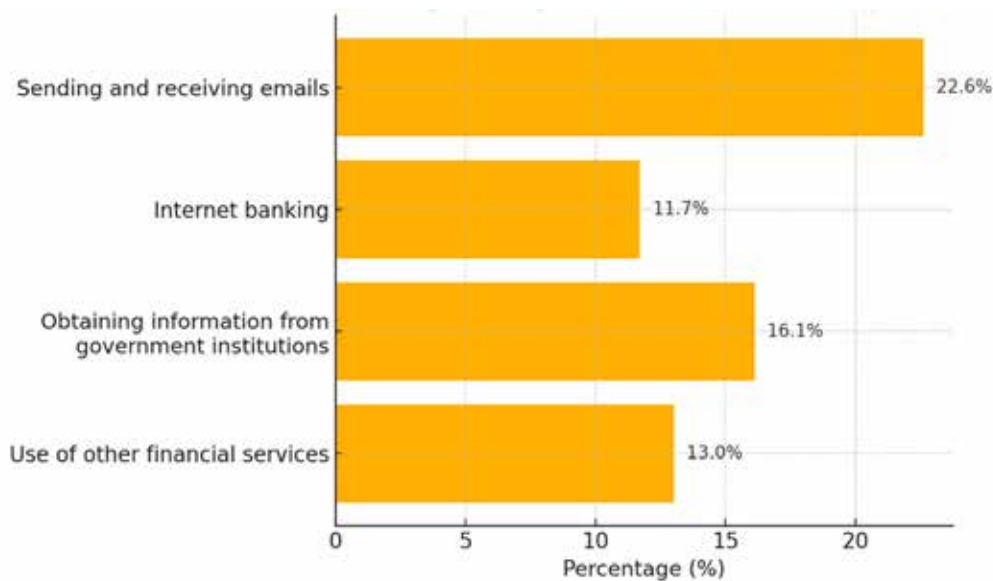
Graph 1. Purposes of enterprises using the internet

Source: *(AR Rəqəmsal İnkişaf və Nəqliyyat Nazirliyi, 2025)*

the 16.1% of users engaging in this activity. Within the framework of transparency, participation, and service delivery, this development illustrates a meaningful shift in state-society relations. The availability of public information through online portals reduces information asymmetry and fosters a culture of openness, where citizens can more readily access laws, decisions, statistics, and administrative procedures. This transparency, in turn, enhances trust in public institutions and lays the groundwork for more informed civic participation. From a service delivery perspective, digital access to government information streamlines bureaucratic processes, minimizes physical interactions, and increases the responsiveness of public administration. By reducing procedural complexity and making institutional data available in real time, digitalization not only democratizes access to information but also reinforces the legitimacy and accountability of state institutions.

The digital access indicators of specific occupational groups in Azerbaijan – namely service sector employees, armed forces personnel, clerical (administrative) support staff, professional specialists, and senior officials or legislators – offer meaningful insights into the broader trajectory of digitalization within the framework of good governance. The rising percentages across these categories reflect not only technological adoption but also institutional efforts to embed digital tools into the core of public administration and service provision. For instance, the steady increase in digital access among clerical support workers (from 72.5% in 2018 to 90.6% in 2022) demonstrates the integration of digital systems into bureaucratic routines, contributing to greater efficiency, transparency, and procedural accountability in everyday governance tasks. Similarly, the high and growing rates among professional specialists and senior officials indicate a top-down commitment to data-driven governance and strategic digital leadership – key pillars of effective, responsive public institutions.

In the service sector, where access rose from 73.0% to 82.6%, digitalization directly enhances citizen-facing functions, improving the delivery of public services, reducing wait times, and enabling feedback mechanisms – all of which align with the participatory and service-delivery dimensions of good governance. On the other end of the spectrum, the armed forces – traditionally slower to digitalize due to structural constraints – have seen modest but steady growth (from 11.3% to 15.7%). This upward trend signifies a cautious yet important shift toward digitized internal processes, training systems, and potentially cyber-defense capacities, thus linking national security to the broader
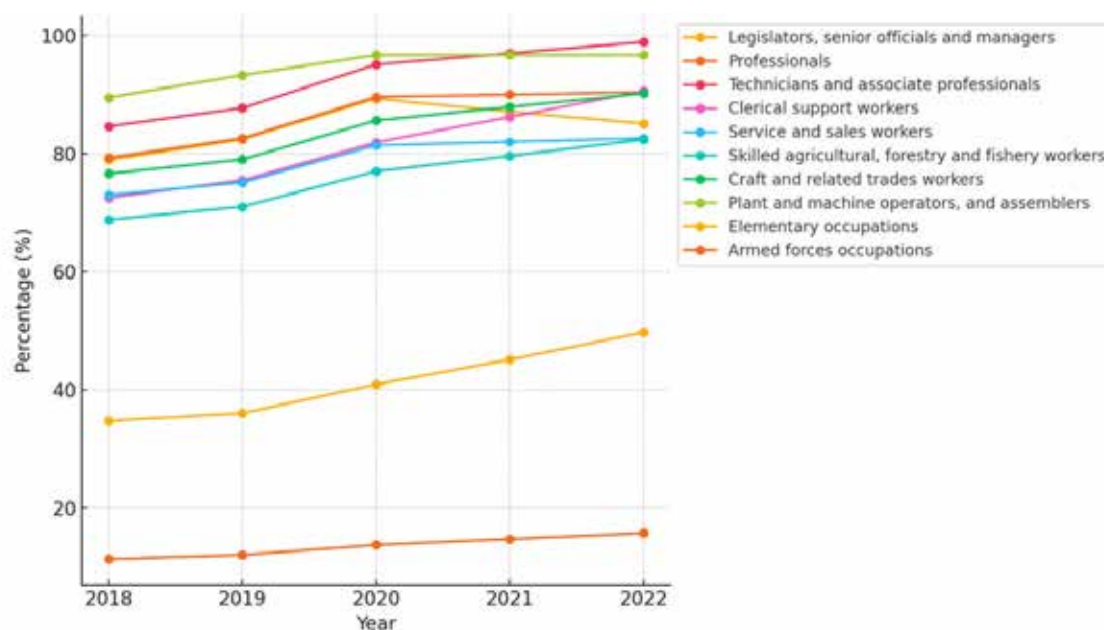
Graph 2. Internet access and usage indicators

Source: *(AR Rəqəmsal İnkişaf və Nəqliyyat Nazirliyi, 2025)*

digital governance agenda. Collectively, these trends underscore that digitalization in Azerbaijan is not limited to high-level strategy but is increasingly reflected in sector-specific transformations that support the normative goals of good governance: transparency, accountability, inclusiveness, and service efficiency.

Within the framework of Impact of Digitalization on Transparency, Participation, and Service Delivery, the foundational principles and significance of Azerbaijan's "Electronic Government" (e-Government) initiative illustrate a deliberate and structured approach to modernizing governance. Rooted in compliance with national legislation and oriented toward safeguarding state and public interests, the e-Government system prioritizes accessibility, authenticity, and security of public information while clearly delineating responsibilities among state institutions. These principles support transparency by ensuring that citizens can access accurate and up-to-date data through streamlined and secure platforms (Elektron Hökumət, 2025a). Moreover, the emphasis on simplifying procedures and enhancing the efficiency of state and municipal bodies directly contributes to improved service delivery, enabling users to complete administrative tasks more quickly and reliably, regardless of their geographic location. By facilitating access to services through a virtual environment and leveraging modern ICT infrastructure, Azerbaijan's e-Government also enhances participation, empowering citizens to engage with public institutions remotely and effectively. The ability to request and receive verified information, track service procedures, and interact with the government from anywhere in the country reflects a deepened commitment to inclusive, citizen-centric governance. This digital infrastructure not only optimizes bureaucratic workflows but also reinforces public trust in the state's capacity to deliver transparent, responsive, and efficient services in line with the core values of good governance.

The availability of approximately 150 electronic services for citizens and over 100 services for entrepreneurs on the e-gov.az portal exemplifies Azerbaijan's practical commitment to good governance through digital means (Elektron Hökumət, 2025b). By centralizing a wide range of public services in a user-friendly online platform, the state enhances accessibility, efficiency, and accountability in service delivery. This broad service coverage empowers both individuals and businesses to

interact with government institutions transparently and conveniently, reducing bureaucratic burden and geographic limitations. Ultimately, such digital inclusion strengthens citizen participation, promotes responsive governance, and reinforces the principles of openness and effectiveness at the core of good governance.

The implementation of digital signature solutions such as "Elektron imza," "Asan imza," and the SİMA system has significantly enhanced the convenience and security of digital interactions between citizens and the state in Azerbaijan. These tools allow individuals to authenticate their identity and sign documents electronically, enabling seamless access to e-services without the need for physical presence.

Table 1

ASAN Service Index

Indicator	Value	Description
Service Providers	76	Number of institutions offering services
Services	315	Total number of services available
Citizen Evaluations	1,025,539	Total number of citizen evaluations submitted
Services Rated by Citizens	1,017,019	Number of services evaluated by citizens

Source: *(Dövlət Xidmətləri Portalı, 2025b)*

The data presented in the "ASAN Service Index" – including 76 service providers, 315 distinct services, over 1 million citizen evaluations, and more than 10 million individual service ratings – serves as a compelling indicator of Azerbaijan's progress in digital governance. These figures reflect not only the breadth of services integrated into a unified digital platform but also the active participation of citizens in evaluating service quality. This two-way interaction between the state and the public reinforces transparency and accountability, key pillars of good governance, by allowing real-time feedback loops and evidence-based service improvement. The institutionalization of citizen evaluations on such a scale signifies a mature stage of e-governance where data-driven insights guide policy responsiveness and administrative performance.

The consistently high ratings of these government services can be attributed to their practical relevance, streamlined digital accessibility, and the efficiency with which they address citizens' and residents' essential needs. Services such as employment assistance, work permit issuance, residence

Graph 3. Top-rated government services by citizens

Source: *(Dövlət Xidmətləri Portalı, 2025a)*

registration for foreigners, and energy connection are directly tied to individuals' livelihoods and legal status, making their reliability and speed critically important. The digitalization of these services through platforms like ASAN has minimized bureaucratic delays, reduced face-to-face contact, and enhanced user experience, particularly for foreign nationals navigating legal procedures. The ability to complete complex administrative tasks online with transparency, clarity, and support has likely fostered high satisfaction, reinforcing public trust in the digital governance system.

To sum up, the impact of digitalization on transparency, participation, and service delivery in Azerbaijan reflects a broader commitment to building a modern, citizen-oriented governance system. Through the integration of digital platforms, streamlined services, and institutional reforms, the country has significantly improved public access to information, enhanced citizen engagement, and increased the efficiency of governmental operations. While challenges remain in ensuring inclusivity and digital literacy, the overall trajectory demonstrates that digital transformation has become a vital driver of good governance in Azerbaijan, fostering greater accountability, responsiveness, and trust between the state and society.

Conclusion. As a conclusion, the digital transformation of governance in Azerbaijan represents a strategic and multifaceted effort to enhance the principles of good governance through the adoption of modern technologies and institutional innovation. As demonstrated throughout this study, Azerbaijan has systematically integrated digital tools into public administration, aiming to strengthen transparency, accountability, participation, and service efficiency. These developments not only align with global trends but also reflect a country-specific response to the challenges of governance in a rapidly evolving technological landscape.

The conceptual convergence between digital governance and good governance, grounded in the work of prominent scholars and international institutions, has guided Azerbaijan's reform agenda. Drawing on the insights of theorists such as Jane Fountain and Manuel Castells, and institutions like the World Bank and UNDP, the country has framed digitalization not merely as a technical upgrade but as a redefinition of state-society interaction. This has enabled Azerbaijan to establish governance mechanisms that are more open, responsive, and citizen-centric, in line with international best practices.

Institutionally, Azerbaijan's journey has been marked by significant milestones including the creation of ASAN Service, the Ministry of Digital Development and Transport, the Cyber Security Service, and the Digital Trade Hub. These reforms have established a comprehensive framework for digital governance, supported by robust legal and technical infrastructure. The recent adoption of the Digital Development Concept reinforces the government's long-term commitment to transitioning toward a GovTech model – where real-time data, artificial intelligence, and integrated platforms form the backbone of agile, secure, and inclusive decision-making processes.

Empirical data from public service platforms such as e-gov.az and dxr.az, as well as performance metrics like the ASAN Service Index, demonstrate measurable progress in digital service delivery. Citizens and businesses are increasingly engaging with the government through digital channels, benefiting from streamlined administrative procedures and enhanced access to information. The high satisfaction ratings for key services validate the effectiveness of these digital platforms and signal public trust in the evolving digital governance ecosystem.

In summary, Azerbaijan's experience illustrates how digitalization, when strategically planned and ethically implemented, can serve as a powerful instrument for advancing good governance. By embedding digital tools within institutional structures and aligning them with core governance values, Azerbaijan is gradually transforming its public administration into a more transparent, accountable, and inclusive system. The country's ongoing digital reforms not only provide a model for other developing nations but also underscore the critical role of digital governance in shaping the future of democratic, citizen-oriented governance in the 21st century.

References:

1. ASAN xidmət. (2025). "ASAN xidmət" mərkəzləri haqqında ümumi məlumat. https://asan.gov.az/ about

2. AR İqtisadi İslahatların Təhlili və Kommunikasiyası Mərkəzi. (2025). Rəqəmsal Ticarət Qovşağı. https://ereforms.gov.az/az/page/reqemsal-ticaret-qovsaqi-9

3. Dövlət Xidmətləri Portalı. (2025a). ASAN xidmət indeksi üzrə qiymətləndirmədə iştirak edən xidmətlər. https://www.dxr.az/asan-index/butun-xidmetler?lang=az&pageName=asanIndexAllServices

4. Dövlət Xidmətləri Portalı. (2025b). ASAN xidmət indeksi. https://www.dxr.az/asan-index?lang=az

5. Azərbaycan Respublikası Prezidenti. (2025, January 16). Azərbaycan Respublikasında Rəqəmsal İnkişaf Konsepsiyası. https://ict.az/uploads/7b72d9ce4de45ac4fee0c4b1c8ffb392_5253488.pdf

6. AR Rəqəmsal İnkişaf və Nəqliyyat Nazirliyi. (2025). Azərbaycanda rəqəmsal inkişaf: faktlar, təhlillər, rəqəmlər. https://mincom.gov.az/az/media/statistik-melumatlar/azerbaycanda-reqemsal-inkisaf

7. Castells, M. (1999). The information age: *Economy, society and culture* (Vols. 1–3). Hoboken, NJ: Wiley-Blackwell.

8. Decuypere, M., & Lewis, S. (2021). Topological genealogy: A methodology to research transnational digital governance in/through/as change. *Journal of Education Policy*, 38(1), 23–45. https://doi.org/ 10.1080/02680939.2021.1995629

9. Elektron Hökumət. (2025a). Elektron hökumət haqqında ümumi məlumat: "Elektron Hökumət"in əsas fəaliyyət prinsipləri və əhəmiyyəti. https://e-gov.az/az/content/read/2

10. Elektron Hökumət. (2025b). Elektron xidmətlərin ümumi siyahısı. https://e-gov.az/az/ services/?t=citizen

11. Elektron Təhlükəsizlik Xidməti. (2025). Haqqımızda. https://www.cert.az/haqqimizda

12. Fountain, J. E. (2001). *Building the virtual state: Information technology and institutional change.* Washington, DC: Brookings Institution Press.

13. Fukuyama, F. (2013). What is governance? *Journal of Governance*, 26(3). https://doi.org/10.1111/ gove.12035

14. Grindle, M. S. (2004). Good enough governance: Poverty reduction and reform in developing countries. https://citeseerx.ist.psu.edu/document?repid=rep1&type=pdf&doi=339c3643c4c6c4b-39f1a721740ce8c30f6cf8756

15. Hood, C. (1991). A public management for all seasons? *Public Administration*, 69, 3–19. https://doi.org/10.1111/j.1467-9299.1991.tb00779.x

16. Hu, J., & Zhang, X. (2023). Digital governance in China: Dispute settlement and stability maintenance in the digital age. *Journal of Contemporary China*, 33(148), 561–577. https://doi.org/10.1080 /10670564.2023.2261877

17. Hüseynzadə, C. (2025). *Prezident İlham Əliyev "Rəqəmsal İnkişaf Konsepsiyası"nı təsdiqləyib.* tech.az. https://tech.az/az/posts/prezident-ilham-eliyev-reqemsal-inkisaf-konsepsiyasi-ni-tesdiqleyib-4514

18. World Bank. (1992, April). *Governance and development.* https://www.gsid.nagoya-u.ac.jp/sotsubo/ Governance_and_Development_1992.pdf

PECULIARITIES OF PUBLIC ADMINISTRATION OF NATIONAL MEMORY POLICY ON THE EXAMPLE OF THE MONUMENT TO CATHERINE II IN ODESA

Artem Kartashov,
Postgraduate Student at the Department of Stateknowledge, Law
and European Integration,
Institute of Public Service and Management
of Odesa Polytechnic National University (Odesa, Ukraine)
ORCID ID: 0009-0007-2978-3757
3434067@as.op.edu.ua

Abstract. Given the revision of the approach to assessing national memory policy and its consideration as a component of national security, an important task for the state is to rethink approaches to shaping the public space of Ukrainian cities. This requires analyzing the entire existing structure of governing bodies, the legislative framework, and specific cases related to the symbols of Russian imperial policy. This is especially true in cities that are the subject of increased attention from Russia. In particular, in Odesa, the example of the monument to Catherine II is one of the most striking in highlighting the problematic issues of Ukraine's approach to public administration in the field of national memory policy.

While studying the issues of public administration in the field of national memory in Ukraine on the example of the monument to Catherine II in Odesa, the author gained access to archival documents of local self-government bodies, studied open and news data, as well as existing case law and legislation of Ukraine, current and past, which allows systematizing the identified shortcomings and suggesting ways to address them at the legislative level.

Key words: national memory, Odesa, public administration, legislation, court decision, public space, memory war.

Introduction. Since the restoration of Ukraine's independence in 1991 and until the beginning of the Russian-Ukrainian war in 2014, Russia has actively continued the assimilationist processes started during the Soviet era by destroying and blurring specific structures of national memory: denial of the crimes of the Russian Empire against Ukrainians, falsification of historical data on the existence of cities and settlements on the territory of Ukraine before their annexation or occupation by the empire's troops, glorification of the imperial and Soviet occupation and the fight against resistance movements and marginalization of fighters for Ukrainian independence in the twentieth century or for other forms of Ukrainian statehood, political efforts to oust the Ukrainian language from the public and educational space, etc.

At the same time, after 2004, in addition to imposing public discourse, Russia began a «monumental occupation» of southern Ukraine, including Odesa, appealing to certain pages of the history of the region's occupation. This policy was aimed, among other things, at supporting historical myths that «tied» Odesa to Russia and the Russian version of history.

Such actions of Russia can already be seen in the context of «memory wars» [Kovalska-Pavelko, 2022:16-20, Shevel, 2017, Kulyk, 2013:63-81, Yang, 2023] which is increasingly used in scientific terminology.

An analysis of recent research and publications related to the topic of national memory policy shows that researchers' attention is mainly focused on the historiographical context (L. Nahorna, Andrii Mahaletskii), political science context (Yaroslav Motenko, Yevheniia Shyshkina, Natalia Dichek). At the same time, the issue of public administration in the field of national memory policy implementation is only briefly touched upon in the Ukrainian academic literature (Iryna Kovalska-

Pavelko, Tetiana Vasylevska, Tetiana Bevz), and is almost never reflected in the international literature (foreign scholars, focus more on the cultural aspect. on defining definitions and their disclosure and do not touch upon public administration issues).

The research methodology is interdisciplinary, combining methods of historical, political, public administration and legal sciences.

The purpose of the article is to analyze the public administration decisions made by state and local authorities regarding the installation and dismantling of the monument to Catherine II in Odesa, the case law and legislation on this issue, and the history of this monument in order to understand the purpose of its installation and its role in the Russian-Ukrainian information war and its place in the field of national memory in Ukraine, as well as to identify problems in public administration and law enforcement and to find and develop proposals for their solution in the public administration aspect.

Main part. The Russian-Ukrainian war has necessitated a complete revision of the assessment and role of public administration in the field of national memory policy, as Russia uses mythmaking and its own interpretation of historical events to justify its military aggression and territorial claims, including to exert information and psychological influence on Ukrainians. In this context, the policy of national memory is already considered a component of national security, so it is important to rethink approaches to shaping the public space of Ukrainian cities, as well as to analyze the entire existing structure of governing bodies and specific cases related to the symbolism of Russian imperial policy. This is especially true in cities that are the object of increased attention of the Russian Federation, in particular in Odesa, where the process of shaping public space is one of the most striking in terms of highlighting the problematic issues of Ukraine's approach to public administration in the field of national memory policy.

In particular, the monument to Catherine II in Odesa is a vivid example of such Russian influence in Odesa. Thus, the installation on 27.10.2007 of a monument to Empress Catherine II (who played an extremely negative role in the history of Ukraine (Istorychna Pravda, 2022; Palamarchukm Yu. & Mielekestsev, K., 2023), partially recreated on the model of a similar monument unveiled by the administration of the Russian Empire on 06.05.1900 (Protokol zasidannia komisii, 1917), was supposed to complete the myth spread in Soviet times about the «foundation of the city of Odesa by Empress Catherine II» (Long, 2021) which in certain historical periods was supported by representatives of local self-government (Honcharuk, 1999: 27), although the first mention of a town called Kochubiyiv dates back to 1415 (Dlugosz, 1711). Even the name of the monument, «Founders of Odesa» was not authentic (Protokol zasidannia komisii, 1917), but a successful lexical device to continue the myth that the city was founded by the empire.

The appearance of the monument in Odesa dates back to around September 1890, when, in order to imprint the myth of the «100th anniversary of Odesa» in the public consciousness, the City Duma announced a competition for a monument to the Empress, which was to be created and installed by 1894. However, the process was delayed, and only in September 1892 was the project by Odesa architect Yurii Dmytrenko entitled «Monument to Empress Catherine II in Odesa» (Bohdanovych, 2018) approved with a cost of 57 thousand rubles: the sculpture models were designed by Mikhail Popov, an academician of the Imperial Academy of Arts in St. Petersburg, and the bronze figures were made by sculptor Borys Eduards and Leopold Mencione, a foreman of the marble shop of the Odesa General Crafts Council, who also cast the pedestal's foundation (Artymyshyn, 2022). The construction was not completed by the planned date of the centennial of the «foundation of Odesa» so on September 3, 1894, they limited themselves to laying the foundation stone, and the monument was unveiled only in May 1900 on Katerynynska Square in the center of Odesa, from which the city's first fountain was moved to the city garden (Artymyshyn, 2022).

However, on 20.04.1917, a meeting of the «Commission on the Removal of the Monument to Catherine II without Damage» was held with the participation of the creators of the pedestal, Yurii Dmytrenko and Borys Eduards.

The testimony of the latter, set forth in the minutes of the commission's meeting, gives an understanding of the monument's construction: «the main figure of Catherine II the Great consists of 4 parts, hollow inside and connected by metal fittings, and of these, the lower part is mounted on an iron pin 5 inches in diameter and filled with cement; 4 figures below: Zubov, Potemkin, de Ribas, and de Volan, are cast in one piece, with a hollow inside, and held on a pedestal by rods pressed into the granite. All the figures are cast in bronze» (Protokol zasidannia komisii, 1917).

As a result, the commission decided to remove the figure of Catherine II in parts and transport it to the museum. Ukrainian architect F.P. Nestrukh was instructed to find out the cost of scaffolding and accessories, and the cost of removing the figures was to be determined together with the master who had installed the monument (Protokol zasidannia komisii, 1917).

During the years of the Ukrainian liberation struggle, when Odesa was under the rule of the Ukrainian People's Republic and then the Bolsheviks, the monument was covered with tarpaulin. When the city was under the control of the Hetmanate troops, the sculptural composition was reopened to the public (Artymyshyn, 2022).

According to the testimony of I. Bunin «Catherine's monument is wrapped from head to toe, bandaged with dirty, wet rags, wrapped in ropes and covered with red wooden stars» (Artymyshyn, 2022).

Eventually, after Odesa finally came under Bolshevik rule on May 1, 1920, the monument was finally dismantled during a Soviet «clean-up day». Sculptures of the empress's companions were kept in the local history museum. The head of Catherine II was also there, and it was all that remained of her figure.

The only thing left of the monument on the square was a pedestal, which first became a short-term «refuge» for the bust of Adam Mickiewicz, and then Karl Marx. However, after one of the storms in the 1920s, the statue fell down, and an empty pedestal stood in its place for more than a decade. After the capture of Odesa by Romanian and Nazi troops in 1941, it was planned to erect a monument to Adolf Hitler (the square was also named after him). But by the end of the war, they did not have time (Artymyshyn, 2022).

Already on October 28, 1965, on the 60th anniversary of the uprising at the Potemkin Panzer Company, the square was renamed Potemkinska, and a monument «Descendants to the «Potemkin» ship's crew» was erected on the site of the former monument, which, according to the Resolution of the Council of Ministers of the Ukrainian SSR of 21.07.1965, № 711, received the status of a republican monument, and then by the decisions of the Odesa Regional Executive Committee of the Council of People's Deputies of 27.07.1971, № 381, and 27.12.1991, № 580 was placed under state protection as a monument of cultural heritage (decision of the District Administrative Court of Kyiv in the case No. 3/92, 2008).

After the restoration of Ukraine's independence, Russia tried to consolidate its soft influence in urban space – by the decision of the Odesa City Council of People's Deputies of June 02. 1995, № 204 «On the return of some streets, lanes, squares, parks and squares of the city of Odesa to their historical names», the square was returned to the name of Kateryninska (Odeska miskrada, 1995), and pro-Russian politicians initiated the restoration of the monument: the Odesa City Council of People's Deputies even voted for the decision «On approval of measures to restore the historical appearance of the city of Odesa» of 02.06.1995, № 205 (Pro vidtvorennia istorychnoho oblychchia m. Odesy, 1995). However, the process was suspended by the then President of Ukraine (Honcharuk, 1999: 27).

The local authorities returned to this issue after 2004, and in the media and official decisions they used not the authentic name «Catherine II» but a name with a deeper connotation – «Founders of Odesa» (for example, in the decision of the City Council of 04.07.2007, No. 1401-V «On the comprehensive restoration and improvement of Catherine Square in Odesa with the reproduction of its historical appearance» (Pro restavratsiui ta blahoustrii Katerynyns′koi ploshchi…, 2007), of

10.07.2007, No. 2918-V «On granting consent to accept as a gift to the municipal property of the territorial community of Odesa the reconstructed monument to the Founders of Odesa, except for museum exhibits: sculptures by G.O. Potemkin-Tavriysky, J.M. de Ribas, P.O. Zubov, F.P. de Volan» (On granting consent to accept as a gift to the municipal property, 2007), etc.).

At the same time, as noted above, official documents that accompanied the process of designing, installing, and dismantling the monument in the 19th and 20th centuries indicate that the monument was named «Catherine II» not «the founders of Odesa» as is used in 21st-century documents and russian scientific sources.

To lay the monument, based on the decision of the City Council No. 97-V of 27.06.2006 and the Order of the State Service for National Cultural Heritage of the Ministry of Culture and Tourism of Ukraine No. 9 of 17.04.2007 and Permit No. 9/24 of 18.04.2007, the «Descendants to the «Potemkin» ship's crew» monument was moved to Mytna Square (Most of the fragments of the monument (primarily sculptures of Catherine II's associates) are originals. But the figure of the empress was made entirely, because the head preserved in the Museum of Local Lore could not be combined with the newly created part of the rest of the figure (Postanova u spravi № 3/92…, 2008).

The then President of Ukraine, Viktor Yushchenko, opposed the erection of the monument (UNIAN, 2007), but no public legal decisions were made on this matter, so on 27.10.2007, a festive opening ceremony took place, which practically reproduced the 1900 ceremony, appealing to Russian imperial historical narratives (Korrespondent.net, 2007, Ivasi.news, 2019). Russia's interest and the very purpose of the monument's erection is evidenced by the concept of the event: it was based on a similar one in the Russian Empire, with appropriate costumes and symbols and the participation of a representative of the royal family, and the supporters of the monument used the flags of Russia and the Russian Empire (UNIAN, 2007; Ivasi.news, 2019).

At the same time, the aforementioned Order of the State Service and the permit issued on its basis to move the «Descendants to the «Potemkin» ship's crew» monument, public administration decisions which essentially made it possible to move one monument and install another, were canceled by the decision of the District Administrative Court of Kyiv of 20.05.2008, No. 3/92, following a claim by the Association of Cossack Societies «Sich» (decision of the District Administrative Court of Kyiv in the case No. 3/92, 2008).

On the basis of this decision, on July 27, 2017, after ten years of litigation, the courts delivered their verdict in case No. 2a-549/11: «To declare invalid the decision of the Odesa City Council of 27.06.2006 No. 97-V and the decision of the Odesa City Council of 04.07.2007 No. 1401-V in the part concerning the reconstruction of the monument to the Founders of Odesa». The Supreme Court later confirmed this verdict (Decision of the Supreme Court in the case No. 2a-549/11, 2019).

Later, after the formal completion of the decommunization legislation, the Ukrainian Institute of National Memory launched a professional scientific discussion on the deconstruction of the imperial heritage, during which the monument to Catherine II was mentioned (Ukrainian institute of national memory, 2017). This provoked a sharp negative reaction from pro-Russian political forces and politicians (Enigma.ua, 2017), but no public administration decisions were made, so the monument remained in the public space.

The topic of dismantling the monument was raised again after Russia's full-scale invasion on February 24, 2022, when civil society used the public administration mechanisms available at the time. On June 28, 2022, petitions to dismantle the monument appeared on the website of the President of Ukraine (which quickly gained the 25 thousand votes necessary for consideration) (The official online representation on the President of Ukraine, 2022), and on August 1, 2022, the President appealed to the Odesa City Council to consider the proposal to demolish the monument (The official online representation on the President of Ukraine, 2022), but the Odesa City Council did not support the decision (Protocol of the 15th session of the Odesa City Council, 8th Convocation, 2022). At the same time,

peaceful assemblies were held with the participation of historians, lawyers, and the public, calling for the monument to be dismantled, and the monument was also doused with red paint, drawing historical parallels between the policies of the Russian Empire and the Russian Federation towards Ukraine (USI, 2022; Dumskaya.net, 2022; Suspilne Odesa, 2022; TSN, 2022).

Initially, city officials led by Mayor Hennadii Trukhanov spoke out against the «destruction of history» and spoke of the possible «barbaric destruction» of the monument (Corriere della sera, 2022), but then the city council nevertheless launched an electronic public discussion, which ended on October 20, 2022, with the largest number of votes – 3914 – for the option to «dismantle the monument completely» against 2816 votes for «preserving the monument in its place, supplemented with historical information about the activities of Catherine II» (Odesa City Council, 2022).

Based on the results of the discussion, on November 30, 2022, the Odesa City Council adopted decision No. 1044-VIII «On the Dismantling and Relocation of the Monument to Catherine II» (Decision of the Odesa City Council «On the Dismantling and Relocation of the Monument», 2022) and on December 29, 2022, the monument was dismantled and moved to the Odesa Art Museum at night (Deutsche Welle, 2022).

Conclusion. As we can see in this case, the monument, which became the subject of destabilization of the situation in the city and politicization of the issue of public space formation, despite the illegality of the local government's administrative decisions that became the basis for its installation, stood for another 15 years and was dismantled only in 2022, and the trials that lasted almost a decade did not end with effective judicial control, since the satisfaction of the claims only in part did not oblige the local government to dismantle the illegally installed monument.

It follows that the public administration system has demonstrated its ineffectiveness in countering political and legal decisions on the erection of monuments on the territory of territorial communities, since the legislation in force at the time and the current one does not contain any levers of restraint or counterbalance to the decisions of local self-government. This led to the possibility of erecting a monument to Catherine II on the basis of illegal decisions that could not be canceled except in court.

The Laws of Ukraine «On the Condemnation of Communist and National Socialist (Nazi) Totalitarian Regimes in Ukraine and the Prohibition of Propaganda of Their Symbols» No. 317-VIII and «On the Condemnation and Prohibition of Propaganda of Russian Imperial Policy in Ukraine and Decolonization of Toponymy» No. 3005-IX, adopted during the Russian-Ukrainian war and full-scale invasion, contain a similar gap, which, on the one hand, imposes on the heads of regional state (military) administrations the obligation to issue an order to dismantle monuments, but does not provide any mechanisms for its practical implementation by the administrations themselves in case of failure to comply with their orders by local self-government bodies.

The Ministry of Culture and Strategic Communications (Postanova «On Amendments Concerning the Activities of the Ministry of Culture and Strategic Communications», 2024) (formerly the Ministry of Culture of Ukraine (Postanova «On the Approval of the Regulation on the Ministry of Culture and Tourism of Ukraine», 2006, Postanova «On the Regulation of the Ministry of Culture of Ukraine», 2011, Postanova «On Approval of the Regulation on the Ministry of Culture of Ukraine», 2014) and the Ministry of Culture and Information Policy) (On Amendments to Some Acts of the Cabinet of Ministers of Ukraine on the Activities of the Ministry of Culture and Information Policy, 2020) or any other central executive body (such as the Ukrainian Institute of National Memory (Postanova «Some Issues of the Ukrainian Institute of National Memory», 2014) has no leverage over local governments, even at the level of legislation regulating relations regarding the improvement of settlements (Law of Ukraine «On the Improvement of Settlements», 2014).

Similarly, the law does not oblige municipal authorities to engage in professional scientific or public discussion when deciding on the erection of monuments and memorials, which creates an imbalance in the implementation of national memory policy at the community level and leads to

unlimited politicization of this process, the consequences of which can be eliminated in decades, when the monument, erected to confirm a certain historical myth, has already largely fulfilled its main function – to consolidate certain narratives in the public consciousness and begin the process of blurring national identity (Law of Ukraine «On Naming Legal Entities and Objects of Property Rights after Individuals...», 2012).

Public consultations provided for by law are only advisory in nature, meaning that their initiator is required to formally conduct them, without the need to have a scientific basis, the position of public authorities, educational or cultural institutions (Law of Ukraine «On Naming Legal Entities and Objects of Property Rights after Individuals...», 2012).

At the same time, legislative acts that formally contain provisions on the illegality of denying the crimes of totalitarian regimes, such as the Law of Ukraine «On the Holodomor of 1932-1933 in Ukraine» (Law of Ukraine «On the Holodomor of 1932–1933 in Ukraine», 2006), or the existence of prohibited symbols in public space, for example, the Law of Ukraine «On the Legal Status and Commemoration of Fighters for the Independence of Ukraine in the Twentieth Century» (Law of Ukraine «On the Legal Status and Honoring of Fighters for Ukraine's Independence in the 20th Century», 2015), or the aforementioned acts on decommunization (Law of Ukraine «On the Condemnation of Communist and National-Socialist (Nazi) Totalitarian Regimes», 2015) and decolonization (Law of Ukraine «On the Condemnation and Prohibition of Propaganda of Russian Imperial Policy», 2023), are not provided with any sanctions or powers of public authorities to take measures to eliminate the identified violations.

In this regard, it seems necessary to amend the current legislation of Law No. 3005-IX by supplementing the final and transitional provisions, setting a new deadline for the heads of regional state (military) administrations to adopt orders to dismantle (move) monuments and memorials from public space and provide a mechanism for their practical implementation through executive bodies and structural units, as well as to strengthen the capacity of the Ministry of Culture to further shape public space.

In addition, it is necessary to regulate the procedure for erecting monuments and memorials, as well as to improve the existing procedure for renaming place names so that both the state and local governments participate in these processes on an equal footing. Moreover, the procedure for holding public discussions on the formation of public space should be improved so that the voice of scholars and scientific research on a particular figure, anniversary date, or historical event would have mandatory weight and/or be published in the process of public consultation.

Moreover, the length of the litigation over the monument to Catherine 2 and the ineffectiveness of the court decisions necessitate changes to the procedural law. Such changes may include the introduction of a separate category of cases on the installation and/or dismantling of monuments and memorials or the naming/renaming of place names, which would be considered within a shorter timeframe (for example, the current procedural law provides for such a procedure for disputes related to the right to information or citizens' appeals).

In general, the problems identified during the study, given the active phase of the Russian-Ukrainian war, as well as Russia's use of place names and monumentalism as an instrument of information aggression, prompt further interest in the study of this issue and the need for a prompt response to the shortcomings of public administration in the implementation of the national memory policy in Ukraine.

References:

1. Artymyshyn, P. (2022). Proshchavai, Kateryno! Istoriia skandalʹnoho pamiatnyka v Odesi (*Farewell, Kateryna! The History of the Scandalous Monument in Odesa*). *Lokalna istoriia*. https://bit.ly/4gouWF5 (in Ukrainian)

2. Bohdanovych, O. V. (2018). *Zhizn′ arkhitektora Dmytrenko (1858–1918). K 160-letiiu so dnia rozhdeniia i 100-letiiu so dnia smerti* (*The Life of Architect Dmytrenko (1858–1918). For the 160th Anniversary of Birth and the 100th of Death*) (2nd ed., rev. & enl.). Odesa: Astroprynt.

3. DW.(2022, December29). V Odesi demontuvaly pamiatnyk Kateryni II ta Suvorovu [In Odesa, the monument to Catherine II and Suvorov was dismantled]. Deutsche Welle. https://www.dw.com/uk/v-odesi-demontuvali-pamatnik-katerini-ii-ta-suvorovu/a-64236148

4. Długosz, J. (1711). *Historiae Polonicae libri XII*. Lipsiae. https://bit.ly/3ZJwqTn

5. Enigma.ua(2017). Katerina rozdoru [Catherine of discord]. Enigma.ua. https://enigma.ua/articles/katerina_rozdoru

6. Het′ kryvavu katiivnytsiu: odesyty vymahaiut prybraty pamiatnyk Kateryni II (*Down with the Bloody Executioner: Odesans Demand Removal of the Monument to Catherine II*). (2022, September 2). *USI*. https://usionline.com/het-kryvavu-kativnytsiu-odesyty-vymahaiut-prybraty-pam-iatnyk-kateryni-ii-ta-ii-spodvyzhnykam/ (in Ukrainian)

7. Het′ kryvavu tsarytsiu: v Odesi Katerynu khotily odiaknuty v kovpak kata (*Down with the Bloody Tsarina: In Odesa, They Wanted to Dress Catherine in an Executioner's Hood*). (2022, September 2). *Dumskaya.net*. https://dumskaya.net/news/proch-krovavogo-palacha-v-odesse-ekaterinu-hotel-168372/ua/ (in Ukrainian)

8. Honcharuk, H. I. (1999). *Odesskoe protivostoyanie (1994–1998)* (*The Odesa Confrontation (1994–1998)*). Odesa: Astroprynt.

9. Istoryky zaproponuvaly shliakhy dekonstuktsii impers′koi spadshchyny (*Historians Proposed Ways to Deconstruct the Imperial Heritage*). (2017, December 4). *Ukrainskyi instytut natsionalnoi pamiati*. https://bit.ly/3P7rp24 (in Ukrainian)

10. Ivasi.news. (2019, October 27). 27 oktyabria 2019 goda v Odesse vo vtoroi raz otkryli pamiatnik Ekaterine II (On October 27, 2007, the monument to Catherine II was reopened in Odesa for the second time). Ivasi.news. https://ivasi.news/odessa/27-oktyabrya-2007-goda-v-odesse-vo-vtoroy-raz-otkryli-pamyatnik-ekaterine-ii-video/

11. Kateryna II – zasnovnycya Odesy chy okupantka Khadzhybeju? (*Catherine II: Founder of Odesa or Occupier of Khadjibey?*). (2022, July 8). *Istorychna Pravda*. https://www.istpravda.com.ua/articles/2022/07/8/161537/ (in Ukrainian)

12. Kovalska-Pavelko, I. (2022). Viiny pam'yati, yak kljuchovy chinnyk formuvannya derzhavnoi polityky pam'yati v suchasnii Ukraini (*Memory Wars as a Key Factor in the Formation of State Memory Policy in Modern Ukraine*). *Krakowskie Studia Malopolskie*, 35(3), 7–26. https://doi.org/10.15804/ksm20220301 (in Ukrainian)

13. Kulyk, V.(2013). War of memories in the Ukrainian media. In J. Fedor, E. Rutten, & V. Zvereva (Eds), Memory, conflict, and new media: Web wars in post-socialist states (pp. 63–81). London: Routledge.

14. Mahaletskyi, A. (2022). Pam'yattevi studii ta istorychna pam'yat' pro viiny i voenni konflikty: istoriografiya pytannya (*Memory Studies and Historical Memory of Wars and Military Conflicts: A Historiography of the Issue*). *Intermarium: History, Policy, Culture*, 10, 136–158. https://doi.org/10.35433/history.112035 (in Ukrainian)

15. Miting protiv ustanovki pamyatnika Ekaterine II v Odesse (*Protest Against the Installation of the Monument to Catherine II in Odesa*). (2007, June 20). *UNIAN*. https://photo.unian.net/photo/72614-miting-proti-ustanovki-pam-yatnika-katerini-ii-v-odesi

16. Motenko, Y., & Shyshkina, Y. (2024). Formuvannya oficiynoi modeli kolektyvnoi pam'yati pro Drugu Svitovu Viynu yak zasobu informaciyno-psihologychnogo vplyvu (na materialah Rosijskoi Federatsii) (*Shaping of the Official Model of Collective Memory about The World War II as a Means of Information-psychological Influence (on the Materials of The Russian Federation)*). *History Journal Of Yuriy Fedkovych Chernivtsi National University*, (1), 130–138. https://doi.org/10.31861/hj2024.58.130-138 (in Ukrai...

17. Na pamiatnyk Kateryni II v Tsentri Odesy nadiagly chervonyi kovpak kata (*A Red Executioner's Hood Was Put on the Monument to Catherine II in Central Odesa*). (2022, November 2). *Suspilne

Odesa*. https://suspilne.media/odesa/307852-na-pamatnik-katerini-ii-v-centri-odesi-nadagli-cervo-nij-kovpak-kata/ (in Ukrainian)

18. Nevidomi rozpysaly pamiatnyk Kateryni II i porivnialy yii z Putinem (*Unknown Persons Painted the Monument to Catherine II and Compared Her to Putin*). (2022, September 10). *Glavkom*. https://glavcom.ua/odesa/news/nevidomi-rozpisali-pamjatnik-katerini-ii-v-odesi-i-porivnjali-ji-ji-z-putinim-foto--874453.html (in Ukrainian)

19. Novye istorii Odesy: biznesmen Ruslan Tarpan proviv ekskursiiu dlia hydov (*New Stories of Odesa: Businessman Ruslan Tarpan Led a Tour for Guides*). (2016, April 30). *Odeskyi visnyk*, (16). https://web.archive.org/web/20160821222534/http://www.odvestnik.com.ua/issue/767/15878/

20. NU-NS: vidkryttia pamiatnyka Kateryni II – naruha nad pamiattiu tysiach zakatovanykh (*NU-NS: The Unveiling of the Monument to Catherine II is an Outrage to the Memory of Thousands Tortured*). (2007, October 25). *Korrespondent.net*. https://bit.ly/3BF3hk8 (in Ukrainian)

21. Obminiaty pamiatnyk Kateryni na yevropeiskoho yenota (*Exchange the Monument to Catherine for a Raccoon from Kherson Zoo*). (n.d.). *Elektronni petytsii*. https://petition.president.gov.ua/petition/169564 (in Ukrainian).

22. Odeska miskrada.(1995, June 02). Rishennia № 204 «Pro povernennia deiakym vulytsiam, pro-vulkam, ploshcham, parkam ta skveram mista Odesy yikh istorychnykh nazv» [Decision No. 204 «On Returning Historical Names to Certain Streets, Lanes, Squares, Parks and Gardens in the City of Odesa»]. Ddepartament arkhivnoi spravy ta dilovodstva Odeskoi miskoi rady.

23. Palamarchuk, Yu. D., & Mielekestsev, K. I. (2023). Postkolonialʹna pamiatʹ i superechky navkolo imperatrytsi Kateryny II v Ukraini (*Postcolonial Memory and Controversies around Empress Catherine II in Ukraine*). *Visnyk studentsʹkoho naukovoho tovarystva DonNU im. V. Stusa*, 1(15), 57–62. (in Ukrainian)

24. Postanova 03.04.2019 r. u spravi № 2a-549/11 (*Resolution of April 3, 2019 in Case № 2a-549/11*). *Verkhovnyi sud*. https://reyestr.court.gov.ua/Review/80930656

25. Postanova Kabinetu Ministriv Ukrainy vid 12.11.2014 r. № 684. *Deiaki pytannia Ukrainsʹkoho instytutu natsionalʹnoi pamiati* (*Some Issues of the Ukrainian Institute of National Memory*). https://zakon.rada.gov.ua/laws/show/684-2014-п#Text

26. Postanova Kabinetu Ministriv Ukrainy vid 13.09.2024 r. № 1066. *Pro vnesennia zmin shchodo diialʹnosti Ministerstva kultury ta stratehichnykh komunikatsii...* (*On Amendments Concerning the Activities of the Ministry of Culture and Strategic Communications...*). https://zakon.rada.gov.ua/laws/show/1066-2024-п#n35

27. Postanova Kabinetu Ministriv Ukrainy vid 16.10.2019 r. № 885. *Deiaki pytannia diialʹnosti Ministerstva kultury, molodi ta sportu* (*Some Issues of the Ministry of Culture, Youth and Sports*). https://zakon.rada.gov.ua/laws/show/885-2019-п/ed20191016#Text

28. Postanova Kabinetu Ministriv Ukrainy vid 03.09.2014 r. № 495. *Pro zatverdzhennia Polozhennia pro Ministerstvo kultury Ukrainy* (*On Approval of the Regulation on the Ministry of Culture of Ukraine*). Kabinet Ministriv Ukrainy. https://zakon.rada.gov.ua/laws/show/495-2014-п#Text

29. Postanova vid 20.05.2008 r. u spravi № 3/92 (*Resolution of May 20, 2008 in Case № 3/92*). *Okrushchnyi administratyvnyi sud mista Kyieva*. https://reyestr.court.gov.ua/Review/1874042 (in Ukrainian)

30. Pro demontazh ta perenesennia pamiatnyka (*On the Dismantling and Relocation of the Monument*). Rishennia vid 30.11.2022 № 1044-VIII. *Odeska miska rada*. https://omr.gov.ua/ua/acts/council/196279/

31. Pro nadannia zhodu na pryiniattia do komunalʹnoi vlasnosti... (*On the Consent to Accept into Municipal Ownership the Reconstructed Monument to the Founders of Odesa*). Rishennia vid 10.07.2008 r. № 2918-V. *Odeska miska rada*. Fond 151, opys 8, sprava 7521.

32. Pro peremishchennia pamiatky «Potomkintsiam-nashchadky» (*On the Relocation of the Monument 'To the Descendants of the Potemkinites*). Rishennia vid 27.06.2006 r. № 97-V. *Odeska miska rada*. Fond 151, opys 8, sprava 6550.

33. Pro Pologhennia pro Ministerstvo kultury Ukrainy (*On the Regulation of the Ministry of Culture of Ukraine*). Ukaz vid 06.04.2011 r. № 388/2011. *Prezydent Ukrainy*. https://ips.ligazakon.net/document/U388_11

34. Pro restavratsiui ta blahoustrii Katerynns′koi ploshchi (*On the Restoration and Improvement of Katerynynska Square*). Rishennia vid 04.07.2007 r. № 1401-V. *Odeska miska rada*. Fond 151, opys 8, sprava 6975.

35. Pro vidtvorennia istorychnoho oblychchia m. Odesy (*On the Restoration of the Historical Appearance of the City of Odesa*). Rishennia vid 02.06.1995 r. № 205. *Odeska miska rada*. Fond 151, opys 8, sprava 3874.

36. Pro vnesennia zmin do deiakykh aktiv KMU shchodo diial′nosti Ministerstva kultury ta informatsii-noi polityky (*On Amendments to Some Acts of the Cabinet of Ministers of Ukraine on the Activities of the Ministry of Culture and Information Policy*). Postanova vid 23.03.2020 r. № 231. https://zakon.rada.gov.ua/laws/show/231-2020-п/ed20200323#Text

37. Pro zatverdzhennia Polozhennia pro Ministerstvo kultury i turyzmu Ukrainy (*On the Approval of the Regulation on the Ministry of Culture and Tourism of Ukraine*). Postanova vid 08.11.2006 r. № 1566. *Kabinet Ministriv Ukrainy*. https://www.kmu.gov.ua/npas/54093218

38. Protokol XV sesii Odes′koi mis′koi rady VIII sklykannia (*Protocol of the 15th Session of Odesa City Council, 8th Convocation*). (2022, September 28). *Odeska miska rada*. https://omr.gov.ua/ua/city/council/protocols/ (in Ukrainian)

39. Protokol zasidannia komisii z pytannia zniattia pamiatnyka Yekateryni II bez poshkodzhennia vid 20 kvitnia 1917 roku (*Protocol of the Commission on the Removal of the Monument to Catherine II Without Damage, April 20, 1917*). Derzhavnyi arkhiv Odes′koi oblasti, F. 3839, OP 1, SPR 14, ark. 18.

40. Putin è un folle ma ama Odessa. Sulla Crimea io dico che è meglio trattare (*Putin is Crazy But Loves Odesa. About Crimea I Say It's Better to Negotiate*). (2022, August 28). *Corriere della sera*. https://bit.ly/3ZKbP17

41. UNIAN. (2007, September19). Yushchenko mae odne prokhannia do odesytiv (Yushchenko has one request for Odesa residents). UNIAN. https://www.unian.ua/society/65464-yuschen-ko-mae-odne-prohannya-do-odesitiv.html

42. V Odesi zaminyty pamiatnyk Kateryni II na pamiatnyk amerykans′komu aktoru Billi Herrinhtonu (*Replace the Monument to Catherine II in Odesa with a Monument to American Actor Billy Herrington*). (n.d.). *Elektronni petytsii*. https://bit.ly/3VLbXMP (in Ukrainian)

43. Vidpovid Prezydenta Ukrainy na elekronnu petytsiiu № 22/141740-ep (*Response of the President of Ukraine to E-petition № 22/141740-ep*). (n.d.). *Elektronni petytsii*. https://petition.president.gov.ua/petition/141740 (in Ukrainian)

44. Vona nenavydila ukraintsiv, yak i Putin: v Odesi pamiatnyk Kateryni II oblyly chervonoiu farboiu (*She Hated Ukrainians Like Putin: In Odesa, the Monument to Catherine II Was Doused with Red Paint*). (2022, September 14). *TSN*. https://tsn.ua/ukrayina/ce-vzhe-vtretye-za-chotiri-dni-v-ode-si-pam-yatnik-katerini-ii-oblili-chervonoyu-farboyu-foto-2157283.html (in Ukrainian)

45. Yak maie buty vyrishena dolia pamiatnyka 'Zasnovnykam Odesy', rozmishchenoho na Katerynyns′kii ploshchi u m. Odesi? (*How Should the Fate of the Monument to the Founders of Odesa on Katerynynska Square Be Resolved?*). (n.d.). https://citizen.omr.gov.ua/discussion/2022-14/ (in Ukrainian)

46. Yang, G. (2023, May 3). China's National Memory Laws and the War on Storytelling. *Australian Institute of International Affairs*. https://www.internationalaffairs.org.au/australianoutlook/chinas-national-memory-laws-and-the-war-on-storytelling/

47. Wilson Center. (2021, December 10). Kennan Long View Series | Weak Strongman: The Limits of Power in Putin's Russia. https://www.wilsoncenter.org/event/kennan-long-view-series-weak-strongman-limits-power-putins-russia

48. Zakon Ukrainy vid 06.07.2005 r. № 2747-IV. *Kodeks administratyvnogo sudochynstva Ukrainy* (*Code of Administrative Justice of Ukraine*). Verkhovna Rada Ukrainy. https://zakon.rada.gov.ua/laws/show/2747-15#Text

49. Zakon Ukrainy vid 09.04.2015 r. № 314-VIII. *Pro pravovyi status ta vshanuvannia pamiati bortsiv za nezalezhnist′ Ukrainy u XX stolitti* (*On the Legal Status and Honoring of Fighters for Ukraine's Independence in the 20th Century*). Verkhovna Rada Ukrainy. https://zakon.rada.gov.ua/laws/show/314-19#Text

50. Zakon Ukrainy vid 09.04.2015 r. № 317-VIII. *Pro zasudzhennia komunistychnoho ta natsional-sotsialistychnoho (natsysts′koho) totalitarnykh rezhymiv* (*On the Condemnation of Communist and National-Socialist (Nazi) Totalitarian Regimes*). Verkhovna Rada Ukrainy. https://zakon.rada.gov.ua/laws/show/317-19#Text

51. Zakon Ukrainy vid 12.11.2014 r. № 684-2014-p. *Pro blahoustrii naselenykh punktiv* (*On the Improvement of Settlements*). Verkhovna Rada Ukrainy. https://zakon.rada.gov.ua/laws/show/684-2014-п#Text

52. Zakon Ukrainy vid 21.03.2023 r. № 3005-IX. *Pro zasudzhennia ta zaboronu propahandy rosiis′koi imperators′koi polityky* (*On the Condemnation and Prohibition of Propaganda of Russian Imperial Policy*). Verkhovna Rada Ukrainy. https://zakon.rada.gov.ua/laws/show/3005-20#Text

53. Zakon Ukrainy vid 24.05.2012 r. № 4865-IV. *Pro prysvoennya yurydychnym osobam ta ob'iektam prava vlasnosti imen...* (*On Naming Legal Entities and Objects of Property Rights after Individuals...*). Verkhovna Rada Ukrainy. https://zakon.rada.gov.ua/laws/show/4865-17#Text

54. Zakon Ukrainy vid 28.11.2006 r. № 376-V. *Pro Holodomor 1932–1933 rokiv v Ukraini* (*On the Holodomor of 1932–1933 in Ukraine*). Verkhovna Rada Ukrainy. https://zakon.rada.gov.ua/laws/show/376-16#Text

THEORY AND DEVELOPMENT OF POLITOLOGY & HISTORY

FORMATION OF CIVIL SOCIETY AS A FACTOR OF THE PUBLIC ADMINISTRATION SYSTEM MODERNIZATION IN UKRAINE

Mykola Ivanov,
Doctor of Political Science, Professor, Professor at the Department of Sociology
and Political Science, Petro Mohyla Black Sea National University (Mykolaiv, Ukraine)
ORCID: 0000-0002-2742-7288
kamensky.nk@gmail.com

Abstract. Nowadays in Ukraine, the issues of forming favorable conditions for the further formation and development of civil society are becoming increasingly important. This is due to the fact that successes in the development of civil society directly affect the acquisition by the entire system of public management of an optimal state that is capable of preserving the integrity of modern Ukrainian society and ensuring its security.

The objective assessment of the steps taken in this direction and a theoretical justification of the substantive content of this phenomenon are crucial in the implementation of the tasks of further development of all components of civil society in modern Ukraine. Today, a certain understanding and some approaches to interpreting both the process of evolution of modern civil society and the most important tasks of modernization of the entire public administration system have developed in the scientific space.

Key words: public administration, civil society, political parties, self-government, self-organization, equality.

Introduction. The issues of the formation and development of civil society today are significantly relevant and continue to remain in focus of both scientists and practitioners of the development of a new social space associated with the formation of an extensive network of social initiatives in modern Ukrainian society.

Unfortunately, our society has not yet fully appreciated the primacy and extremely high importance of the tasks of further strengthening the process of development and expanding the spheres of implementation of community initiatives and improving the public administration system in Ukraine.

Additionally, there are still differences in the understanding of the nature of the phenomenon of civil society, which prevents society from building an adequate perception and attitude towards various manifestations of community initiatives, overcoming artificial steps and directive tasks of stimulating them.

Literature Review. It is worth mentioning that there is a fairly high scientific activity of researchers who choose issues related to the process of formation and development of civil society in Ukraine as their subject. This is facilitated by the existing practice of forming a number of components of civil society in the current process of improving the interaction of traditional public institutions of management with community initiatives. This circumstance reflects both the process of evolution of civil society itself and its impact on the entire system of public administration in modern Ukraine.

Thus, scientific research today reflects the results of theoretical understanding of the multifaceted process of civil society development and the characteristics of practical steps for developing optimal mechanisms for its interaction with existing institutions of public administration in Ukraine. In these researches, experts draw attention to various aspects of the formation process and development of civil society.

M. Boychuk, G. Zelenko, A. Karas are the scientists who contributed to this topic with their the scientific works.

In addition, it should be noted the fundamental approach to interpreting the issues of civil society interaction with state institutions in Ukraine by such authors as A. Mikheeva, K. Vashchenko, I. Sakharuk, and others.

Results. At the same time, in understanding the phenomenon of civil society today, it is important to note certain contradictions, among local and foreign researchers, a common vision of the objective logic of this process. This circumstance determines the need to maintain the attention of researchers, both to the current process of formation of civil society in Ukraine, and to the study of possible prospects of its impact on the state of the public administration system in our country.

The most urgent issues of scientific research are the issues of forming mechanisms of interaction of all public administration components, which would correspond to the practice of the most developed countries in the world. The declared aspirations of Ukraine to join the number of members of the European Union, actualize the corresponding direction of research on the modernization of the current system of public administration. At the same time, it should be noted that the most developed countries, both in Europe and in other parts of the modern world, represent certain examples of the implementation and functioning of mechanisms of interaction between civil society and state institutions.

The main part. The article is devoted to substantiating the primary significance of the process of building civil society in Ukraine, the importance and necessity of awareness by all strata of Ukrainian society, both the political elite and civilian members of public interactions, of the essence of this phenomenon. These are the aspects this study is devoted to. Also, an important component of this scientific study is substantiating the understanding of the dependence of the successful development of society on the quality of the process of optimizing the interaction of all components of public administration today.

Another aspect of this study is searching for optimal approaches to solving problems that exist in this area today. A significant amount of these issues, one way or another, is related to the formation of civil society in our society. It is to solve this kind of task that the following research methods of observation, analysis and synthesis were used.

Results and their discussion. The most developed countries of the modern world can be fully assessed as countries of developed civil society. This is especially true for developed Western countries where, at the current stage of development, civil society plays a fundamental role in the public administration system. These countries have achieved significant success, both in economic and political development, thanks to an effective public administration system that is able to effectively combine private and collective volunteerism with state policy.

Among other things, today, first of all, both researchers and practitioners of building a public administration system in our country need to agree on the very understanding of such a category as «civil society». This is important for an unbiased and common understanding of this subject. Unfortunately, even to this day, not only in the broadest general public, but also in narrow circles of scientists, there is no common and unambiguous understanding of this concept.

Of course, this complicates the study of this phenomenon and its characterization. In this study, we will try to find the most simple and understandable formula that will allow us to correctly understand and implement the task of its adequate characterization.

First, it should be noted that today there are two main approaches to the interpretation of this concept. This state of affairs is acceptable, since each of these approaches reveals distinct components of a possible understanding of civil society as a social phenomenon. It is these two visions that are necessary for an undistorted or unnarrowed understanding of this category.

The first interpretation of the phenomenon of civil society can be called a civilizational understanding. This kind of understanding emphasizes a certain universality and scale of the phenomenon

of civil society itself. This approach indicates that the concept of civil society can reflect a certain historical stage of development of society itself. In this case, the characterization of society as civil implies the reflection of a certain level of development of society with its inherent qualities.

The history of human development can be divided into several main stages. Accordingly, we can see that in the process of evolution, at the first stage of social organization a «primitive» or «pre-state society» was formed.

This society was a low-stratified association that was formed on family ties. The main regulators of relationships in this type of society were the experience of the oldest members of such a sample of collectives. The main instrument of subordination of members of the tribal community was the authority of its leaders.

Next, comes the era of «state society» that is sometimes called «traditional society». Its main feature is the emergence of the institution of the state. I. Sakharuk emphasizes that this was «a type of society that was formed after the Neolithic revolution and provided for stable economic relations and a clear hierarchical structure of relationships» (I. Sakharuk, 2017: /https://geohub.org.ua/node/5314).

At this stage, new tools for controlling and managing public space were developed. The main tool of management became state power, which was monopolistically used by the heads of state. The institution of the state is also distinguished by its special ability to control not only the public space, but also the sphere of private relations.

«The main principle of organizing (in such a society) social relations is a rigid hierarchical stratification of society, as a rule, manifested in the division into endogamous castes. At the same time, the main form of organizing social relations for the vast majority of the population is a relatively closed, isolated community. The latter circumstance dictated the dominance of collectivist social ideas, oriented towards strict adherence to traditional norms of behavior and those that exclude personal freedom of the individual, as well as the understanding of its value». (Mikheieva, 2012: 34).

Such processes originated quite a long time ago, several thousand years ago. Since then, the state has occupied an absolutely dominant role and has not yielded to other public institutions that existed side by side in their leading role.

Even later, the next stage of development of society comes, which can be perceived as «civil society» for which, unlike traditional society, it is characteristic that in such a society instead of «subjects» appear full-fledged «citizens».

Only starting from the end of the 18th century, we can observe the process of a certain alternative development of societies in different parts of the world. It can be assumed that somewhere around this time, phenomena of alternative legal and illegal activities of public initiatives appear, which gives grounds to talk about the beginning, precisely in such conditions, of the process of emergence and gradual formation of elements of civil society.

From this point of view, we can say that civil society is a certain stage of development of society, the characteristic feature of which is the emergence of institutions different from the state, which were able to accumulate and implement various public initiatives.

In addition, in this society, not only the institution of the state itself, but also other institutions of self-government and amateur public organizations are beginning to play a dominant role. It is they who are already gradually beginning to subordinate traditional institutions to themselves.

In this regard, today, many researchers are talking about the prospect of reviewing the place and role of the state itself in modern society.

When it comes to changing the role of the state, the question arises of what the Ukrainian state should be, in connection with such a trend. In this regard, it should be noted that it is possible to reduce this prospect to a very simple formula. In accordance with it, the question is only one – how

to achieve such a state in which the state would acquire a «new status», which is associated with its transformation into an instrument of civil society. That is, we are talking about a situation in which civil society demonstrates the ability to use the state in order to more fully satisfy a wide range of interests and more effectively solve problems that exist in society.

But in scientific circulation there is another approach to understanding the phenomenon of civil society, which is more widespread and used both among researchers and practitioners of organizing public initiatives. This approach reflects a somewhat narrower understanding of civil society. It is acceptable and one that reflects a slightly different side of this phenomenon.

This understanding of civil society is widely used today both in the practice of communication and in its scientific interpretation, when civil society is understood as everything that does not belong to the state. Some researchers indicate that «civil society is the sphere of non-state social institutions and relations, the sphere of non-coercive human solidarity… it is used to understand the entire set of relations existing in society that are not state-political, are outside the sphere of state directive regulation» (Vashchenko, 2011: 151).

From this point of view, in any state that has not taken a totalitarian form or stage, public life can be divided into public relations, which are controlled by the institution of the state, and a certain sphere of private relations, which are regulated without the direct participation of the state. Thus, civil society is a certain network of public initiatives in interests, which are implemented through the formation of various organizations.

Today, when it comes to civil society, it is quite often possible to find a certain opposition to the institution of the state. In this regard, it is necessary to emphasize the idea that these two phenomena should not be opposed. One should not give grounds for opposing it to the institution of the state with different interpretations of the phenomenon of civil society. Although an analysis of existing characteristics shows that sometimes this happens.

As M. Boichuk mentions»…the legal field of the state and the legal field of civil society do not contradict each other, but on the contrary, thanks to synergistic laws, they are integrated into integrity – therefore, they require more or less uniform distribution as a substrate that fills the general space of the social organism of any country» (Boichuk, 2007: 6).

The correct understanding of the essence of civil society is more related to achieving a certain excellent balance, which previously existed when the state dominated, and everything else was as if secondary and insignificant and formal. This is especially important to emphasize due to the fact that for our lands, gaining their own state was as if an age-old dream. Ukrainians had to go a long way of fighting for their own state.

In reality the state is a sign of civilization. All the achievements of civilizations that existed at different times take their beginnings precisely from the beginnings of the existence of states. From ancient times to the present day, the state has played an extremely progressive role because it was it that stopped, in the words of T. Hobbes, «the war of all against all» Society is a rather differentiated formation and it was rather difficult to integrate it. It was difficult to unite the members of society and ensure its integrity.

Y. Pavlenko states «The state is the leading institution of the political system of society at the civilizational stage of its development, which has sovereign power over an officially defined territory and people who permanently or temporarily reside on it. The state, to one degree or another and in one way or another, controls, organizes and directs some aspects of the activities of its subjects (or citizens). It has a hierarchical structure, a monopoly on coercive measures (the lawful use of force). It performs both socially necessary functions and functions to ensure the power and privileges, regardless of whether they are formally defined or not, of the dominant social strata (classes). Finally, it is a source of law and legislation» (Pavlenko, 2004: http://www.history.org.ua/?termin=Derzhava_yak_cyvilizac_fenomen).

Only the state was able, with its tools and resources that were in its possession, to ensure the integrity of the entire society. At the same time, it should be noted that today the role of the state in society is changing. We can oredict that the next stage of its development may be closely related to the state acquiring the status of such a structure, which must perform a kind of service structure, which must serve and satisfy the diverse interests of a deeply stratified society. At the same time, in the long term and at the highest stage of its transformation, it must act as an arbitrator between broad segments of the population, which, without the participation of the state, demonstrates the ability to self-organize and interact.

If we assess the prospects for the development of the institution of the state in this way, it will give us the opportunity to characterize civil society itself from different sides. Such a perspective allows us to more deeply understand the meaning and role of civil society itself and many other issues that will have a fairly significant impact on the process of modernization of the entire system of public administration in modern society.

It is worth be mentioning that the above interpretations of the concept of civil society are acceptable and understandable. They allow us to apply the above characteristics in order to fully understand its role and importance for the further advancement of modern Ukrainian society along the path of democratic development.

In addition to the above, the statement about the primacy of the tasks of building civil society in our country requires additional justification. The implementation of this task and the issue of understanding the content of the process of forming the fundamental foundations of building civil society as a modern element of public administration requires us to study the multifaceted world experience of such transformations.

In order to understand this and implement this characteristic, we need to return to certain beginnings when the process of forming civil society took place in the most developed countries.

This will allow us to more fully and deeply understand the conditions of the emergence and the presence of the necessary qualities of society itself to actualize the issues of forming civil society.

It is important for us to understand the necessary factors that ensure this state of development of public initiatives of society and their connection with the modernization of traditional management tools.

Today this will help us to better understand what we still lack in order to have a clear perspective on the development of modern civil society, which is a condition for a high level of economic, political and cultural-spiritual development and many other issues of modern transformations. For this, it is necessary to turn to some points that have a certain historical context.

We should realize that the initial patterns of the formation of civil society began to be laid in Western European lands back in the Middle Ages. First of all, this is the south of modern France and the northern territories of modern Italy. Exactly here a very important process began, which was associated with the fact that in these territories, first of all, and a little later in the northern parts of Western Europe, with the emergence of such new settlements as cities.

Moreover, these were not ancient cities, because cities have existed since ancient times. These were cities of a new type. First of all, the settlers of these cities were people who stopped engaging in agricultural work and became mainly artisans.

A little later, people who were merchants, traders and representatives of industrialists joined their number. This was due to the objective development of the socio-economic development of society. The economy was developing, economic relations and economic relations were moving forward. The situation required that in order to ensure development, it was necessary to ensure an increasingly high level of labor productivity. And it was the new European cities, in the form in which they arose, that began to play the role of generators of growing labor productivity in this region.

These cities enabled precedents for new socio-economic relations in society, which we can qualify as relations of the initial stage of the formation of civil society. It is important for us to understand the

features of the socio-political order, which was initiated precisely in the above-mentioned conditions.

What was the difference between those relations that existed before this time and the relations of the previous era? It was from this time that the medieval process of changing the social structure of society began.

By that time, certain social groups had been formed in society that did not have the necessary rights and freedoms. Society was classed, it was unequal.

Almost all members of this society were the so-called subjects. At that time, the concept of «citizen» did not exist. But starting from this period, members of the estate society, who had certain entrepreneurial abilities and tried to effectively use their skills and knowledge, engaged in trade and production, developed a certain mentality in themselves, which prompted them to identify various initiatives.

One of such initiatives can be attributed to their desire to create such fortifications as new cities. People who had certain aspirations to implement different from traditional agrarian occupations acquired housing in these cities. Initially, these cities, together with the townspeople, retained their dependence on their owners, since the lands on which these cities were built were owned by the feudal nobility. And this meant that they had certain obligations to them and had to pay taxes.

But later the situation turned in such a way that the settlers of these cities managed to create a so-called urban community. They were able to unite, determine their common interests and begin to act together. This was the first precedent of self-organization and, in fact, the beginning of self-government.

The first thing in which these communities showed their ability to act independently was the restructuring of their relations with their masters. In those days, it was very common to see examples of these citizens gathering and making the necessary decisions at a certain stage of development.

For the townspeople of that time, the greatest aspiration was the pursuit of freedom. They wanted to be free. They no longer needed rulers because they had the ability to organize themselves. Therefore, they sometimes openly declared themselves free, and sometimes simply collected money, negotiated with feudal lords and bought their freedom.

It is also important to note that urban communities showed the ability to effectively organize themselves by forming appropriate bodies. In particular, they elected a mayor, created their own court, introduced other self-government bodies. In addition, they divided themselves into workshops, appointed masters, and established the necessary rules.

This was a huge step forward and it is in it that we can see all the necessary components of the modern process of forming civil society. Although it was still quite far from modern models of civil society at that time, it was a certain push.

Why should we remember this? Because we should realize one very important thing. It is that for the successful development of civil society, the most important condition is the ability of citizens to self-organize. In the Law of Ukraine «On Local Self-Government», the provisions concerning public initiatives state that local self-government is a right guaranteed by the state and a real ability of citizens (Zakon Ukrainy, 1997: https://zakon.rada.gov.ua/laws/show/280/97-%D0%B2%D1%80#Text).

That is, today it is very important to take certain steps so that society manifests this ability. It is usually provided by a certain need and aspirations.

Based on this understanding, it should be noted that today the key issue for our modern society is that we should learn to unite. This means that we should be able to realize the common interest, understand and make common decisions acceptable to all, be ready and able to do it ourselves. Do not demand from someone to do something for others.

You do not need to look for examples for a long time to see that most of the approaches that are cultivated today when solving certain issues turn their face towards the state. It can be noted that a

significant part of the current shifts in the public space is the expectation and demand that the state does everything.

At the same time, as a rule, such demands do not concern the state in some way taking steps that would change the conditions, but rather that it itself decides or provides and finances something.

Local self-government is the foundation of civil society because it is in local self-government that this self-organizing and self-acting ability of society finds its expression. In our country, self-government in accordance with the Constitution of Ukraine exists in form, but in fact today this institution is at the stage of its formation.

It is possible to have discussions on this issue. But individual characteristics indicate precisely that modern communities are not fully organized independently due to their significant dependence on state funding.

It is this aspect of the functioning of local self-government bodies that indicates that existing structures are somewhat prematurely qualified as fully self-governing. Obviously, this kind of situation indicates that the dependence of self-government structures on state funding allows for the implementation of the relevant interests of precisely those bodies that finance the activities of self-government structures. Therefore, this statement indicates that such bodies are self-governing in form, but in fact they are not yet fully so.

Along with the above-mentioned aspects of the formation and development of civil society, attention should be paid to another important aspect of this process. It is related to the fact that both ordinary citizens and heads of existing public administration structures must be clearly aware of the question of how to stimulate the process of manifestations of citizens' natural initiative and their aspirations for self-activity.

At the same time, it is necessary to clearly understand the inadmissibility of artificially awakening the aspiration of citizens to independently ensure the conditions for the realization of their own interests and aspirations. If these factors do not work, then it is impossible to initiate these things «from above», and even more so to introduce them. Such initiatives will fall on unviable soil. The seeds that will fall on it will not germinate.

In a stratified society, when building a civil society, a special role belongs to the real provision of actual legal equality. Ensuring such a situation is one of the greatest achievements of the civilized world. One of the most significant consequences of the Great French Revolution, which marked the transition from a class society to a civil society, was the proclamation of all citizens as equal. As A. Karas notes «Equality of citizens before the law creates sufficient conditions for freedom; in social life, such conditions correspond to democracy. Equality before the law eliminates the threat of violence against a person by the authorities, therefore the first condition of freedom is the absence of socio-political grounds for arbitrariness» (Karas, 2003: 237).

Today, this is perceived as the norm. Equality has been proclaimed in our country, which in itself is a very important characteristic of the state of development of society, but, as time shows, it is not enough to just declare this norm, it is important to ensure really true equality. We have it, but if we approach this issue from a basic point of view, it is easy to see the existing deviations from real equality, which demonstrate to us the efforts of a part of society to have some kind of special status.

As I. Sakharuk notes, «formal equality assumes the equality of all people, while not taking into account biological and other differences between people, which, with equal rights, do not lead to equality of opportunities and results» (Sakharuk, 2017: 72).

Thus, the use of the principle of formal equality in real life leads to inequality between citizens.

At the same time, it is important to emphasize that in Ukraine we have a somewhat special experience of moving towards the formation of public entities. That is, we have our own history of forming the conditions for the emergence of the foundations of civil society. It should be noted that in the Ukrainian lands, such processes took place much later.

This is a rather important circumstance and we must take it into account. Today we strive for rapid changes, implementing them in a day. But it's important to understand that such processes can take quite a long time, and it is impossible to implement them by force.

Such transformations can only be ensured by one's own development. It is in the course of this development that a number of qualities that are key to building a civil society should naturally form in the vast majority of citizens. First of all, this concerns the existing thirst for freedom, the desire to be free.

Today, there are «dreams» of a part of society for «dependence». The conducted surveys demonstrate the desire of a part of society to restore a state in which the desire to receive guiding instructions from the governing authorities is satisfied. For the time being, for a significant part of citizens, this is a desirable and understandable situation.

Sociological surveys show that paternalistic attitudes dominate in society. The absolute majority of the population, 74%, when answering the question of who should ensure the necessary standard of living of citizens, pointed to the state and only 24% pointed to the citizens themselves (Sotsialno-politychni Oriientatsii, 2025: / https://dif.org.ua/article/sotsialno- politichni-orientatsii-ta-problemi-mobilizatsii-v-ukraini-zagalnonatsionalne-opituvannya).

With this approach, being a free entrepreneur is much more difficult. For the effective development of civil society, the desire for freedom on the part of citizens is absolutely necessary. This is very important, we need to refuse from the hopes that someone will «make happy» the broad mass of citizens.

In addition, the citizens of our society need to get rid of the «good king» syndrome. We need to discard the hopes and expectations of a «good leader or president», an impeccable prime minister, who will tirelessly strive to make everyone happy. This is the path of disappointment and despair.

This state of social orientations of citizens poses the task of choosing the optimal ways to develop civil society for our society. In this regard, today there is a number of possible directions for the development of civil society, which today can be considered the main ones and are capable of influencing not only the development of public initiatives, but also the development of both the state and Ukrainian society itself.

Firstly, this is due to the need to pay significant attention to the restructuring of key state institutions. Today, certain steps are already being taken in this direction, it is obvious that the country's leadership understands the importance of this modernization and therefore «from above» is trying in every possible way to cultivate and implement the process of forming a state that would be extremely «friendly» to society.

Today, the foundations are being laid for the development of a «service state», which would provide citizens with a number of services and take care of certain amenities for them. One of the main directions of this kind of transformation of the state is related to the provision of security services. Today, it is important to move away from the state when citizens perceive state institutions, which are designed to produce security, exclusively as punitive bodies.

According to the sociological survey «Assessment of the situation in the country, trust in social institutions, politicians, officials and public figures» conducted in 2025 by the Razumkov Center, trust and distrust in the National Police are expressed in approximately the same degree (47% and 46%, respectively) (Otsinka Sytuatsii v Kraini, 2025: / https://razumkov.org.ua/napriamky/sotsiologichni-doslidzhennia/otsinka-sytuatsii-v-kraini-dovira-do-sotsialnykh-instytutiv-politykiv-posadovtsiv-ta-gromadskykh-diiachiv-stavlennia-do-vyboriv-pid-chas-viiny-vira-v-peremogu-liutyiberezen-2025r).

This statement emphasizes the idea that society and citizens have the task of changing this kind of state.

The state is an organization that provides its citizens with security and protection. It is the state that ensures law and order in the sphere that concerns general relations. It establishes traffic rules, tax principles and many other general principles of relations within society.

It should be emphasized that today it is important to ensure a change in the nature of the state's relations with society. The state, in the conditions of traditional society, acted on the principle of «living together and being jointly responsible», and the defining principle of the modern state is embodied in the formula «the state is a night watchman». This means that in countries with a developed civil society, the main task of the state is that it protects this society and serves it.

In this regard, the task of building a law enforcement structure that is able to guarantee protection and protect the legal principles of relations in society arises. Today, it is important that the modern state acts as an impartial arbiter, provides a fair trial and provides many other services.

In this regard, the question arises of the extent to which citizens can influence this particular direction of modernization of state institutions. Although the process of formation of civil society is still ongoing in our society and its resources are quite limited, we can still observe certain steps by public structures that are directly aimed at the development of the public management system in this direction.

It is the development of such a state and public management system that can provide the necessary push for the development of self-organization in our country. The experience of Western countries, which are quite wealthy and developed in material and spiritual terms, shows that their successes and high level of well-being are fueled not only by what nature has given them, but also by the enormous power of human initiative and aspirations. It is they who make these societies so attractive, in which people feel protected and happy.

Another important aspect of the process of the formation of civil society is the state of modern political parties in Ukraine. After all, political parties are perhaps the most important political component of civil society.

We have many registered political parties and they are quite different. At the same time, it should be noted that we have very few political parties that are real political parties today. Real in the sense that they should be such associations that would take on the function of broadcasting all the interests that exist in society.

In this regard, the Chairman of the Committee of Voters of Ukraine Oleksiy Koshel noted that «365 political parties are registered in Ukraine. This is a fairly large number. Ukraine is one of the leaders in Europe in terms of the number of political parties. However, it is worth noting that not all of these political parties live a real political life. The vast majority are in a complete hibernation. We can safely classify them as dead political parties. Because they quite often do not participate in either national or local elections» (KVU: v Ukraini Zareiestrovani, 2025: / https://www.ukrinform.ua/rubric-politics/3324130-kvu-v-ukraini-zareiestrovani-365-partij-bilsist-iz-nih-u-splacci.html).

Unfortunately, so far we have not observed the presence of exactly this quality of political organizations. Despite the declared various leading slogans, the existing political parties are quite similar. Despite their diversity, almost all of them are largely decorative, artificial and applied in nature. These qualities of theirs find their expression in the fact that quite often political parties, in our practice of party building, were created directly as a means of organizing an election campaign, or supporting a particular candidate for deputy, etc.

Conclusions. We can conclude that the current state of political parties is unacceptable for a modern democratic country. In this direction, Ukrainian society needs to do a lot of difficult, but significant work.

The task is to form such political structures that are directly connected with the broad public of citizens who are supporters of various ideological concepts. That is, they need to be turned towards the formation of a certain set of value orientations among citizens.

At the same time, it should be emphasized that it is impossible to do this «from top to bottom». In this matter, it is important that citizens, ordinary members of such political organizations, naturally feel the need to participate in the activities of public organizations and political parties. They must

realize that it is these public formations or political parties that are able to represent their interests. At the same time, citizens themselves still need to learn to adequately determine their real interests.

This is due to the fact that today for public opinion manipulating purposes powerful resources have been formed. It is often possible to observe a situation where citizens do not broadcast their own understanding of certain processes, but reproduce the visions imposed on them. Such phenomena actualize the task of developing a system of civil education, which is aimed at forming in citizens the necessary competencies for their behavior in modern society.

References:
1. Boichuk M. (2007). Vlada i hromadianske suspilstvo: mekhanizmy vzaiemodii (Government and civil society: mechanisms of interaction): [monohrafiia] / *M. A. Boichuk. – Kyiv: Vyd-vo NPU im. M. P. Drahomanova. – S. 6* (in Ukrainian).
2. Karas A. (2003). Filosofiia hromadianskoho suspilstva v klasychnykh teoriiakh i neklasychnykh interpretatsiiakh (Philosophy of civil society in classical theories and non-classical interpretations): [monohrafiia] / *Anatolii Karas; M-vo osvity i nauky Ukrainy, Lviv. nats. un-t im. Ivana Franka. – Kyiv; Lviv. – 519 s* (in Ukrainian).
3. *KVU: v Ukraini zareiestrovani 365 partii (KVU: 365 parties registered in Ukraine). (2025). Retrieved from: https://www.ukrinform.ua/rubric-polytics/3324130-kvu-v-ukraini-zareestrovani-365-partij-bilsist-iz-nih-u-splacci.html*
4. Mikheieva V. (2012). Tradytsiine ta suchasne suspilstvo (Traditional and modern society): *Konspekt lektsii. – Kharkiv. – 54 s* (in Ukrainian).
5. Otsinka sytuatsii v kraini, dovira do sotsialnykh instytutiv, politykiv, posadovtsiv ta hromadskykh diiachiv. – Sotsiolohichne opytuvannia provedenoho v 2025 rotsi Tsentrom Razumkova (Assessment of the situation in the country, trust in social institutions, politicians, officials and public figures. – Sociological survey conducted in 2025 by the Razumkov Center). *Retrieved from: https://razumkov. org.ua/napriamky/sotsiologichni-doslidzhennia/otsinka-sytuatsii-v-kraini-dovira-do-sotsialnykh-in-stytutiv-politykiv-posadovtsiv-ta-gromadskykh-diiachiv-stavlennia-do-vyboriv-pid-chas-viiny-vi-ra-v-peremogu-liutyiberezen-2025r.* ((in Ukrainian).
6. Pavlenko Yu. V. (2004). Derzhava yak tsyvilizatsiinyi fenomen (The State as a Civilizational Phenomenon). *Entsyklopediia istorii Ukrainy: T. 2. – K. – 688 s* (in Ukrainian).
7. Sakharuk I.S. (2017) Rivnist prav ta mozhlyvorstei pratsivnykiv yak pravova osnova kontseptsii hid-noi pratsi/ Aktualni problemy vitchyznianoi yurystprudentsii (Equality of rights and opportunities of workers as a legal basis for the concept of decent work). *№6.- tom 4, S. 72* (in Ukrainian).
8. Savchuk I. (2025). Slovnyk suspilnoi heohrafii. Tradytsiine suspilstvo (Dictionary of Social Geography. Traditional Society). – *Retrived from: https://geohub.org.ua/node/5314* (in Ukrainian).
9. Sotsialno-politychni oriientatsii ta problemy mobilizatsii v Ukraini (Socio-political orientations and problems of mobilization in Ukraine). *zahalnonatsionalne opytuvannia/ Fond Demokratychni initsi-atyvy imeni Ilka Kuchereva (2025). Retrived from: https://dif.org.ua/article/sotsialno-politichni-ori-entatsii-ta-problemi-mobilizatsii-v-ukraini-zagalnonatsionalne-opituvannya* (in Ukrainian).
10. Vashchenko K., Korniienko V. (2011). Politolohiia dlia vchytelia (Political science for teachers): *navch. posibn. dlia stud. pedahohichnykh VNZ. – K. – 406 s* (in Ukrainian).
11. Zakon Ukrainy «Pro mistseve samovriaduvannia v Ukraini» (Law of Ukraine «On local self-govern-ment in Ukraine»). *Vidomosti Verkhovnoi Rady Ukrainy (VVR), 1997, № 24, st. 170). Retrived from: https://zakon.rada.gov.ua/laws/show/280/97-%D0%B2%D1%80#Text* (in Ukrainian).
12. Zelenko H. (2007). Politychna «matrytsia» hromadianskoho suspilstva: Dosvid krain Vyshehradskoi hrupy ta Ukrainy (Political «matrix» of civil society: Experience of the Visegrad Group countries and Ukraine). – *K.– S. 308-335* (in Ukrainian).

MANAGEMENT OF SUSTAINABLE TOURISM DEVELOPMENT
IN THE REPUBLIC OF AZERBAIJAN

Ulfat Mehdiyev,
PhD in Political Science, Senior Lecturer,
Academy of Public Administration under the President of the Republic of Azerbaijan
(Baku, Azerbaijan)
ORCID ID: 0000-0002-1604-1582
ulfat_mehdiyev@yahoo.com

Abstract. Tourism is one of the most important sectors of the development of the economy of the Republic of Azerbaijan. Over the past decade, the country has significantly improved its tourism infrastructure, creating favorable conditions for the development of external and internal tourism. Rich natural resources, cultural heritage, the development of various types of tourism attract tourists from different countries and create excellent conditions for recreation, travel, educational experience and cultural exchange. The country hosts international festivals, sports events, summits and conferences of global scale. All this emphasizes the priority direction of tourism development as an important sector of the economy. Thanks to the development of tourism, new jobs are created, the economic situation of the population improves, and professional personnel appear in various areas of tourism. The country pays special attention to the principles of sustainability during the planning and implementation of tourism projects. This also applies to large-scale infrastructure projects in the 20% of the territory of Karabakh and adjacent regions liberated from occupation by Armenia.

Key words: Sustainable development, tourism development, Azerbaijan Republic, public tourism management.

Introduction. Tourism is one of the main and profitable sectors of the economy, as well as one of the important factors determining the level of socio-economic and cultural development of society, and at the same time affecting natural ecosystems. The rapid and uncontrolled growth of tourism, especially mass tourism models, brings to the fore impacts such as disruption of the ecological balance, excessive exploitation of natural resources, commercialization of cultural heritage and deepening of socio-economic problems of local communities. In the context of global challenges such as climate change, loss of biodiversity and increasing demand for energy resources, sustainable organization of tourism is no longer just an alternative approach, but has become a necessity for humanity. When tourism is implemented with the right strategies, it serves to protect the environment, strengthen the economy of regions and improve social well-being. However, in order to fully utilize this potential of tourism, it is necessary to apply modern methods.

Today, many countries around the world see tourism as one of the main priorities of sustainable development and place it at the center of their national policies. Innovative methods are required to redefine the role of the tourism sector and ensure that it achieves a balance in environmental, social, and economic dimensions within the framework of the UN's Sustainable Development Goals (SDGs), which are aimed at being implemented by 2030. (United Nations, 2015)

In recent years, thanks to the special attention of the country's leadership, tourism projects implemented in accordance with the principles of sustainable development and events of international importance are being organized. Baku's hosting of the 29th session of the Conference of the Parties to the UN Framework Convention on Climate Change (COP29) on November 11–22, 2024, and the allocation of a special day for tourism (November 20) is a clear example of Azerbaijan's serious support for international steps taken towards sustainable development. (Summary report, 20024)

Discussion. Nowadays, tourism plays an indispensable role in the processes of expanding people's economic activities, meeting their vital needs and improving their quality. The tourism sector makes significant contributions to the economy through the creation of new jobs and the development of various service areas. At the same time, getting acquainted with different cultures and gaining new experiences enrich people's lifestyles and increase their social well-being. Every year, millions of people in the world go beyond their traditional living environment and travel to different regions, regionally and internationally, and have the opportunity to relax in different places. The organization of such trips requires the strengthening of areas such as the establishment of the necessary infrastructure that increases tourist satisfaction, the development of tourism products and services, as well as the orderly organization of production and consumption processes. This approach leads to the fact that tourism occupies a special and important place in the general economy of many countries, and as a result, the formation of the concept of tourism economy (UNWTO, 2020).

Every year, millions of people travel to different countries and regions in the world. In tourism, countries are mainly divided into two categories: first, the countries that send tourists (donors), and second, the countries that receive them (recipients). Countries that send tourists are mainly economically developed countries with high middle- or high-income levels. A large part of the population of these countries consists of people who have the opportunity to travel abroad for recreation, holidays or business trips. The first includes the USA, Germany, Great Britain, Belgium, France, Italy, Switzerland, China, Japan, South Korea, India and other countries. Countries that receive tourists are mainly countries with natural, cultural or historical attractions and developed tourism infrastructure. They have places, services and conditions that attract tourists. These countries can be both developed and developing countries. These include Turkey, Greece, Switzerland, France, USA, Spain, Italy, Hungary, Indonesia, UAE, Morocco, Mexico, Brazil and other countries. (WTTC, 2024)

Every tenth job in the world is related to the tourism industry. While the growth of the world economy used to outpace the growth rate of tourism development, the growth rate of world tourism is currently up to 5% per year, while the growth of the world economy is 2–3% per year. The tourism economy represents 10% of global GDP. It is believed that one job in the main tourism sector creates approximately one and a half additional or indirect jobs in the tourism-related economy. Thus, tourism has become a factor in the development of the world economy in many ways (Mehdiyev, 2018, p. 211).

The tourism sector is a complex sector that creates millions of jobs and increases economic activity. In 2019, the tourism sector contributed 9.2 trillion USD, or 10.4%, to global GDP. During this period, the tourism industry provided one in four new jobs worldwide, accounting for 10.6% of total employment (approximately 334 million jobs). However, the COVID-19 pandemic has led to certain changes in these indicators in the following years. According to current forecasts of experts on the impact of the tourism sector on the global economy for 2024, the contribution of the tourism industry to global GDP has reached 11.1 trillion USD, an increase of 12.1% compared to 2023, and the tourism sector supported approximately 348 million jobs. This constitutes 10% of global GDP. (UNWTO, 2020; WTTC, 2024, pp. 7–9).

The global tourism sector is expected to almost fully recover to pre-pandemic levels in 2024. The United Nations World Tourism Organization (UNWTO) estimates that approximately 1.4 billion international tourist arrivals will be recorded worldwide in 2024, an 11% increase over 2023 (WTTC, 2024, pp. 7–9; Statista, 2024).

However, tourism, while one of the fastest growing sectors of the global economy, has both positive and negative impacts on the environment. The negative impacts are particularly pronounced in regions where mass tourism is developed. As a result, the exploitation of natural resources results in increased pressure on ecosystems and increased carbon emissions (Gössling, 2005, pp. 418–420).

The tourism sector requires the development of areas in terms of infrastructure. During the construction of hotels, restaurants, amusement parks, roads and other facilities, forests are subject to

deforestation, and natural resources such as water, energy and land are overexploited. In particular, the use of water resources for tourism causes serious environmental problems in many regions. Spain is an example of this in the world. In the Balearic Islands of Spain, the demand for water by tourists has limited the access of local residents to water resources. This situation is exacerbated by the increase in tourist flows, especially in the summer months. The use of water by tourists makes it difficult for the local population to access water resources and leads to water shortages. (Rico-Amoros, 2009, pp. 493–495).

Sustainability in tourism refers to the balancing of economic, environmental and social factors. In the context of tourism, sustainability means managing the environmental, social and economic aspects of tourism in a long-term perspective. This means conserving natural resources, preserving cultural heritage, enhancing the well-being of local communities and sharing economic benefits equitably. Each of the 17 UN Sustainable Development Goals can affect or be affected by tourism in different ways. (UNWTO & UNDP, 2018 pp. 22–38).

Sustainable tourism models are not only about achieving short-term economic gains, but also have strategic importance in terms of passing on the natural and cultural wealth of countries to future generations and ensuring the well-being of local communities. As a result, the application of sustainable development principles and sustainable tourism plays a key role in strengthening the ecological, cultural and economic sustainability of countries.

After gaining independence, the Republic of Azerbaijan moved away from the legal traditions formed during the Soviet era and transitioned to a new market economy model, and during this transition, strategic goals such as diversification of the economy, reduction of dependence on oil, and development of non-oil sectors came to the fore. It was understood that tourism also had significant potential among these non-oil sector directions, and the creation of its legislative framework was considered important. This Law of the Republic of Azerbaijan "On Tourism" was prepared and adopted by the Milli Majlis in 1999. The adoption of the Law "On Tourism" created conditions for the formation of the legal framework of this field and carried out its main fundamental mission for the development of tourism in subsequent years (Bilalov, 2008, p. 31).

"The State Program on the Development of Tourism in the Republic of Azerbaijan for 2002–2005" envisaged the implementation of state policy in the field of tourism based on the Constitution of the Republic of Azerbaijan, the Law "On Tourism" and other relevant normative and legal documents. As a logical continuation of this state program, the "State Program on the Development of Resorts for 2009–2018", "State Program on the Development of Tourism in the Republic of Azerbaijan for 2007–2016", "State Program on the Development of Tourism in the Republic of Azerbaijan for 2010–2014" successfully implemented their mission. In 2016, the "Strategic Roadmap for the Development of Specialized Tourism Industry in the Republic of Azerbaijan" was adopted. The document outlined global trends in world tourism and an analysis of Azerbaijan's tourism potential, as well as the strengths and weaknesses, opportunities and threats of the country's tourism sector as a result of this analysis. The main goal of the Strategic Roadmap, which is to develop the tourism sector of Azerbaijan by 2025 and turn the country into a regional tourism center, is to achieve this goal Specific goals are set for increasing the number of tourists, increasing tourism revenues, increasing employment in the tourism sector, improving the international image, etc. Analysis of the Strategic Road Map in terms of sustainable tourism principles allows assessing the impact of the document on environmental, economic and social sustainability (Strategic Roadmap for the Development of Specialized Tourism Industry in the Republic of Azerbaijan, 2016).

One of the most important progressive steps in the field of tourism management was the establishment of a special state agency related to tourism – the State Tourism Agency (2018) – on the basis of the Ministry of Culture and Tourism of the Republic of Azerbaijan.

The new "Law on Tourism", adopted in 2021, includes the country's socio-economic transformation, integration into international practice, and changing priorities of the tourism strategy. The new law covers the types and forms of tourism, the role of individual types in eliminating the problem of seasonality, the main directions and objectives of the state policy in this area, as well as issues such as the establishment of a help center to increase tourist satisfaction, determining the basis of a standardization and certification system that will ensure the improvement of service quality, and determining civil liability insurance for tour operators and travel agents operating in the country.

The "Law on Tourism" can be analyzed within the framework of 3 main aspects of sustainability – ecological, socio-cultural, and economic aspects.

• **Ecological sustainability:** According to the law, the organization of tourism and recreation zones is carried out on the basis of the principles of preserving ecological balance and nature conservation. Ensuring the efficient use of tourism resources, as well as improving environmental standards, tourists' care for natural heritage, and the obligation not to harm the environment are brought to attention.

• **Socio-cultural sustainability:** The law stipulates the integration of cultural heritage sites under the concept of "tourism route". Improving the quality of tourism services is emphasized to protect the economic interests of local communities. Tourists are obliged to respect customs and traditions, religious beliefs, care for natural, historical and cultural heritage, comply with the rules for their protection, and not harm the environment.

• **Economic sustainability:** Mechanisms for creating an investment environment for local entrepreneurs, as well as training professional personnel, are determined. The concept of "Tourism Registry" ensures efficient management of resources through monitoring statistical data. (Law of the Republic of Azerbaijan "On Tourism", 2021)

In order to ensure the implementation of the goals set out in "Azerbaijan 2030: National Priorities for Socio-Economic Development", the "Socio-Economic Development Strategy of the Republic of Azerbaijan for 2022–2026", approved by the decree of President Ilham Aliyev dated July 22, 2022, includes an Action Plan for the development of tourism in the country. The document envisages the development and implementation of special state programs in order to ensure the sustainability of the development of the tourism sector, thereby increasing tourism revenues by 20% and increasing the specific weight of tourism in non-oil/gas GDP. The strategy includes measures to promote domestic and foreign tourism, especially during the off-season. Diversification and improvement of transport and communication links to support the tourism sector are also a priority.

Diversification of tourism into various areas such as ecotourism, rural, health, adventure, cultural, historical, gastronomic, business tourism, etc. reduces the country's dependence on oil, increases foreign exchange earnings, and creates new opportunities for small and medium-sized businesses. At the same time, diversification protects the ecological balance, increases social well-being, and provides tourists with unique tourism experiences. Diversification of tourism types is not only economic diversity for Azerbaijan, but also the implementation of the principles of ecological sensitivity, cultural sustainability, and social justice. Current types encourage the use of the country's natural and cultural potential in accordance with the "green economy" model. (Azerbaijan 2030: National Priorities for Socio-Economic Development, 2021)

Integration of local communities into tourism activities as a modern method ensures their active participation in tourism projects. This method creates conditions for both the protection of local cultural and natural heritage and the realization of communities' own economic potential. Community-based tourism promotes the sustainable use of local resources and the improvement of social well-being. The "Tourist Village" project is being implemented by the State Tourism Agency. The main goal of the project is to increase the tourist attractiveness of villages through improvement works in villages with tourism potential, to develop rural tourism by providing alternative recreation areas

for local and foreign tourists, and to contribute to the creation of new types of economic activity in villages and the formation of new jobs.

The application of modern technology and digital innovations in the Azerbaijani tourism sector is considered one of the main tools for ensuring sustainability. Since May 15, 2018, visas have been issued to foreigners at Heydar Aliyev International Airport through ASAN Visa self-service terminals. The "ASAN Visa" portal, which operates in 12 languages, provides electronic visas to 89 countries.

In 2023, the State Tourism Agency introduced the Tourism Information System (data.tourism.gov. az), which plays the role of a single tourism platform for the country. The system creates conditions for obtaining accurate and clear accounting of tourism industry entities in the country, and for building more reliable relationships with industry entities, consumers and business partners.

Adapting tourism infrastructure in Azerbaijan to international standards is one of the modern methods that gives impetus to the sustainable development of the sector. In 2020, the Azerbaijan Hotel Association, as an organization specializing in the hotel industry, developed a National Star Classification System based on the classification criteria of the European Hotel Association – "Hotelstars Union". As a result of the star rating process of hotels, by February 2025, 259 hotels (22 5 stars, 28 4 stars, 97 3 stars, 81 2 stars, and 31 1 star) were awarded star certificates across the country, most of which were located in Baku and Absheron. (Azerbaijan joins WTTC's fundamentals of hotel sustainability program, 2023)

Azerbaijan has set a target of reducing greenhouse gas emissions by 35 percent by 2030 compared to the base year of 1990, and by 40 percent by 2050. In the process of large-scale restoration and reconstruction of the liberated territories of Karabakh and East Zangezur, as well as the declaration of the Nakhchivan Autonomous Republic as a green energy zone, environmental protection has been considered a priority. Innovative approaches such as "smart cities" and "smart villages" are being applied in the liberated territories and the ecosystem is being restored.

In Azerbaijan, the integration of sustainable development principles into ecotourism in specially protected natural areas such as national parks, reserves, sanctuaries are carried out on the basis of the principles of preserving ecological balance, increasing socio-economic well-being and revitalizing cultural heritage. Protected natural areas are managed by the Ministry of Ecology and Natural Resources and the State Tourism Agency on the basis of special rules. Currently, protected natural areas covering an area of 893 thousand hectares operate in Azerbaijan. Of these, 10 are national parks, 10 are state nature reserves, and 24 are state nature reserves. In general, specially protected natural areas account for 10.31% of the country's territory, national parks separately account for 4.87% of the country's territory, state nature reserves account for 1.39%, and state nature reserves account for 4.05%. In 2024, 224,638 tourists visited national parks under the Ministry of Ecology and Natural Resources based on ticket sales (224000 tourists visited Azerbaijan's national parks in 2024, 2025).

In 2023, at the initiative of the Azerbaijan Tourism Bureau, Azerbaijan was selected as a country partner of the World Travel and Tourism Organization's "Fundamentals of Hotel Sustainability" program. The main goal of the program, which consists of 12 criteria grouped into 3 areas: "Efficiency" (reducing energy and water waste, minimizing carbon emissions, etc.), "Planet" (reusing products consumed in hotels, using environmentally friendly cleaning products, etc.) and "People" (benefiting the community and reducing inequality), is to achieve the application of these globally accepted criteria in hotels in order to promote sustainable tourism. The Azerbaijan Hotel Association is directly involved in the implementation of the program in Azerbaijan.

On November 11–22, 2024, Azerbaijan successfully hosted the 29th session of the Conference of the Parties to the United Nations Framework Convention on Climate Change (COP29). As part of this event, November 20 was marked as "Tourism Day" for the first time in the history of the COP. The "First Ministerial Meeting on Improved Climate Action in the Tourism Sector" was held on that day.

The document, which reflects the goals of transforming Azerbaijan into an accessible, sustainable and high-quality tourism destination, covers the main principles of sustainable tourism such as cultural heritage, social inclusion, and economic balance. It is emphasized that sustainability, security, private sector involvement, accessibility, and inclusion are generalizing factors that must be considered in each strategic priority. The development of new destinations such as Karabakh and East Zangezur, infrastructure renewal, and inclusive tourism models open up broad prospects for the future. Thus, Azerbaijani tourism is becoming both an important tool for economic development and a competitive and responsible model in the international arena. (Azerbaijan Tourism Strategy, 2022)

Conclusion. In recent years, the Azerbaijani tourism sector has approached global standards by improving the regulatory framework in accordance with the principles of sustainable development and implementing strategies synchronized with the UN Sustainable Development Goals (SDGs). Initiatives such as the new Law on Tourism adopted in 2021, the National Priorities of Azerbaijan 2030, and the Green Economy model play an important role in ensuring ecological, social, and economic balance. Modern community-based tourism approaches have been met with interest in recent times. Ecotourism and community-based tourism forms highlight the importance of designing tourism policies in the future based on social and ecological value, not just income. More systematic application of these approaches across regions can accelerate tourism diversification. The adaptation potential of the tourism sector in the context of climate change is also noteworthy. Components such as green infrastructure, alternative energy sources, and resource efficiency form a reliable basis for the next steps towards sustainability.

Considering the role of human capital in the sustainable development of tourism, professional personnel training, environmentally conscious training programs and social responsibility approaches in tourism management stand out as important factors, and it is advisable to develop additional state strategies in this direction. In addition, a "Sustainability" module should be created in the tourism personnel training system, and subjects and training programs on sustainable tourism should be created in vocational and higher education institutions. A research and dialogue platform should be established on a regular basis for the sharing of scientific knowledge, analysis of statistical data, monitoring of pilot projects and formulation of recommendations between higher education institutions, government agencies and the private sector.

References:
1. 224000 tourists visited Azerbaijan's national parks in 2024, report.az, 2025. https://report.az/en/ecology/224-000-tourists-visited-azerbaijan-s-national-parks-in-2024/
2. Azerbaijan 2030: National Priorities for Socio-Economic Development. (2021). www.president.az/az/articles/view/50474
3. Azerbaijan joins WTTC's fundamentals of hotel sustainability program, Azernews, 2023, https://www.azernews.az/travel/207444.html
4. Bilalov B.A., (2008) History of Tourism, Textbook. Baku, 328 p.
5. Gössling, S., et al. (2005). The Eco-Efficiency of Tourism, Ecological Economics, 54(4), pp. 417–434.
6. Law of the Republic of Azerbaijan "On Tourism" www.e-qanun.az/framework/49162
7. Mehdiyev U.R. Human capital as a factor od sustainable development of regional tourism // Materials of the Republican Scientific-Practical Conference on "Prospects for the Creation of Tourism Recreational Zones in the Republic of Azerbaijan", Baku 2018, pp. 210–214.
8. Rico-Amoros, A. M., et al. (2009). "Tourist Land Use Patterns and Water Demand: Evidence from the WM". Land Use Policy, 26(2), pp. 493–501.
9. STA, ATB (2022) Azerbaijan tourism strategy 2023-2026, Baku
https://www.tourismboard.az/storage/2023/04/14/gqOjhi3H9LWyPN9Yn4IBE9xlJklDNoTRc8oLSeYT.pdf
10. Statista (2024). Travel and Tourism Worldwide – Statistics & Facts.

11. "Strategic Roadmap for the Development of Specialized Tourism Industry in the Republic of Azerbaijan", 2016 www.president.az/az/articles/view/22134
12. Summary report, 11–22 November 2024, UN Climate Change Conference Baku – November 2024, UNFCC, 2024 https://enb.iisd.org/baku-un-climate-change-conference-cop29-summary
13. UNWTO (2020). International Tourism Highlights 2020 Edition. World Tourism Organization
14. United Nations (2015). Transforming Our World: The 2030 Agenda for Sustainable Development. United Nations.
15. WTTC (2023). Economic Impact Report 2023. World Travel & Tourism Council
16. WTTC (2024). Global Travel & Tourism Economic Impact Report 2024. World Travel & Tourism Council.

MODERN TRENDS AND DIRECTIONS OF DEMOGRAPHIC POLICY IN THE REPUBLIC OF AZERBAIJAN

Shovkat Mustafazade,
Postgraduate Student, Academy of Public Administration under the President
of the Republic of Azerbaijan (Baku, Azerbaijan)
ORCID ID: 0009-0007-2421-394X
shovkatmustafazada@gmail.com

Abstract. The main stage of the sustainable development strategy of developing a country is the assessment of the current s+tate and the identification of dominant trends in demographic, economic, environmental, and social development. Sustainable development is a complicated, multifaceted, and multi-factor dynamic process, which occurs with varying intensity across many countries around the world. In this regard, it is a long-term process that requires extensive scientific and empirical research, especially in matters related to demographic development and the evaluation of the dynamics and size of the population. The primary regulatory mechanism lies in the demographic policy implemented in the country and the adoption of long-term measures that should meet the needs of the population to maintain economic stability and social and political security globally. This article presents the main directions of Azerbaijan's demographic policy aimed at creating a sustainable and inclusive society.

Key words: sustainable development, demographic policy, population size, inclusive society.

Introduction. The modern development of civilization is possible only within the context of sustainable development, which ensures economic efficiency, social justice, environmental security, and co-evolutionary progress. The issue of the necessity and possibility of transitioning to long-term economic and environmental stability was first formulated in D. Meadows' report "The Limits to Growth", based on a mathematical model of the world that considered global processes: rapid industrialization, population growth, increasing food shortages, depletion of non-renewable resources, and environmental degradation (Donella Meadows et al,1972, pp. 22–23).

The study of the main components of sustainable development has been the focus of many researchers. In his works, A. Peccei linked sustainable human development to capabilities, human capital, the state of the ecosystem, and the production system of the planet, all purposefully aimed at self-preservation (Peccei A., 2020, 135–136 p).

The object of research in sustainable development is the system of relationships between the natural environment, the economy, and society, aimed at ensuring a balance between the needs of the present generation and the ability of future generations to meet their own needs. In this regard, the connection between sustainable development, demographic processes, and demographic policy, which is one of the key areas of modern socio-economic research is indisputable (Anderson. B., 2014, pp. 57–59).

Demographic processes (birth rates, mortality rates, migration, age structure of the population, etc.) directly affect the sustainability of societal development, while demographic policy serves as an instrument for managing these processes. (Alakbarov U.K., 2018, pp. 78–80).

Scientific results obtained in this field create conditions for comparative analysis of different countries worldwide. The study of demographic processes in Azerbaijan is also significant for identifying the specific features of demographic development (Muradov Sh. M., 2008, pp. 266–267).

Discussion. Demographic policy is an integral part of the general socio-economic policy. Demographic policy encompasses a system of goals and means of achieving them and covers the following areas of public activity:

1) influence on the reproduction of the population;

2) influence on the process of socialization of the younger generation;

3) regulation of labor market resources and labor force;

4) regulation of migration and territorial structure of the local and migrant population, etc.

Demographic policy measures are divided into three groups:

• economic: paid leave and numerous benefits for the birth of children, child benefits, tax, and housing benefits, etc.;

• administrative-legal: legislative acts regulating marriages, divorces, the status of children in families, alimony obligations, the protection of motherhood and children, abortions, and the use of contraceptives, working conditions and work regimes of working mothers, etc.;

• education and propaganda designed to form public opinion, demographic norms and standards of behavior, a certain demographic climate in society. In other words: demographic policy is a state activity aimed at regulating the processes of population reproduction (Sanderson W., Scherbov S., 2020, 90 p).

Demographic policy developed and spread in the second half of the 20th century. For thousands of years, some countries have been experiencing a population explosion, while others have been experiencing a crisis. Mechanisms for implementing demographic policies to regulate demographic processes have become the agenda of many states. At the initiative of the United Nations, world conferences were held in Rome in 1954, in Belgrade in 1965, in Bucharest in 1974, in Mexico in 1984, and in Cairo in 1994. The first demographic policy in the world was developed at the International Conference on Population and Development held in Cairo in 1994. The Cairo Conference noted the need to shift political attention from population management to human rights and freedom of choice. For the first time, definitions of reproductive health and reproductive rights were given (Miettinen A, Basten S, Rotkirch A. 2011; 472 p.).

The Programme of Action defines reproductive health as "a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity in all matters relating to the reproductive system." Reproductive rights include the right of men and women to information and to safe, effective, affordable, and acceptable methods of family planning.

In countries where demographic policy is aimed at increasing the natural population growth, the government is trying to prevent population decline, aging and reduce the demographic burden. Examples of countries pursuing a stimulating demographic policy include France and Japan. Most countries are pursuing a demographic policy aimed at reducing the natural population growth. The most striking examples in this regard are the two most populous countries in the world – China and India (David S. Reher., 2011, p. 16).
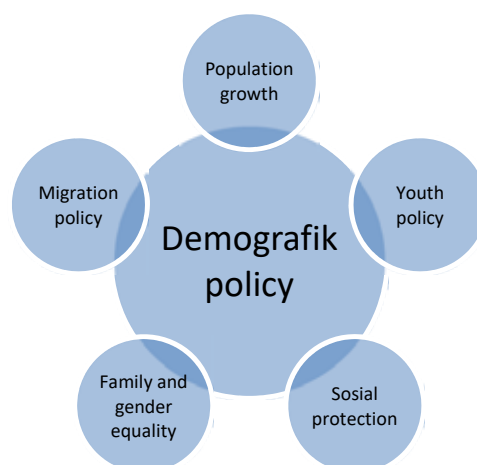

Fig. 1. Main directions of demographic policy in Azerbaijan

After the Republic of Azerbaijan gained independence, both political and socio-economic changes that took place in the country had a serious impact on demographic development. In this regard, the Demographic Development Concept was developed to improve the demographic situation in the Republic of Azerbaijan and formulate the country's demographic policy. This document was signed by the President of the Republic of Azerbaijan Heydar Aliyev by Order No. 290 dated December 9, 1999.

The document considers the priority directions of demographic policy, monitoring, and complex assessment of demographic processes, and, as a result, the preparation of the State Program in the field of demography and population development for the period up to 2005. The state demographic policy in Azerbaijan is implemented through the activities of various state bodies and the adoption of relevant programs. The Ministry of Labor and Social Protection of the Population and the State Committee for Family, Women and Children's Issues, and the Heydar Aliyev Foundation play a key role in this process.

To assess the main directions of demographic policy, we will briefly characterize the current state and dynamics of population growth in Azerbaijan. According to modern UN estimates, the population of Azerbaijan will continue to grow and in the mid-2040s the population of Azerbaijan will be 11 million people, that is, an increase of one million people compared to 2020. Over 50 years, the population of Azerbaijan has tripled (in the mid-1950s – 2.92 million people, 290 million people). Azerbaijan is experiencing natural population growth, which differs from its neighbors in the South Caucasus. Armenia and Georgia completed their demographic transition and entered the stage of "depopulation" in the second half of the 1990s (figure 2).

It can be seen from the data presented in Figure 2. that the population of Azerbaijan increased during the period 1959–2024. However, for the last years (2020–2024), there has been a slight decrease in the number, which corresponds to global and regional demographic processes.

In the indicators of the urban and rural population ratio for the period 1959–2024, a stable increase in the urban population number is observed, connected with many socio-economic, political, and demographic factors. As follows from the data presented in Figure 3, the rural population prevailed over the urban population only in 1959 (Mammadova M. N. et al. 2007, 218 p).

This circumstance is explained by the consequences of the Second World War, the restoration of the system of collective farms and state farms, and the availability of work in the countryside. In the following years, the process of industrialization, development of oil and gas, chemical industry,
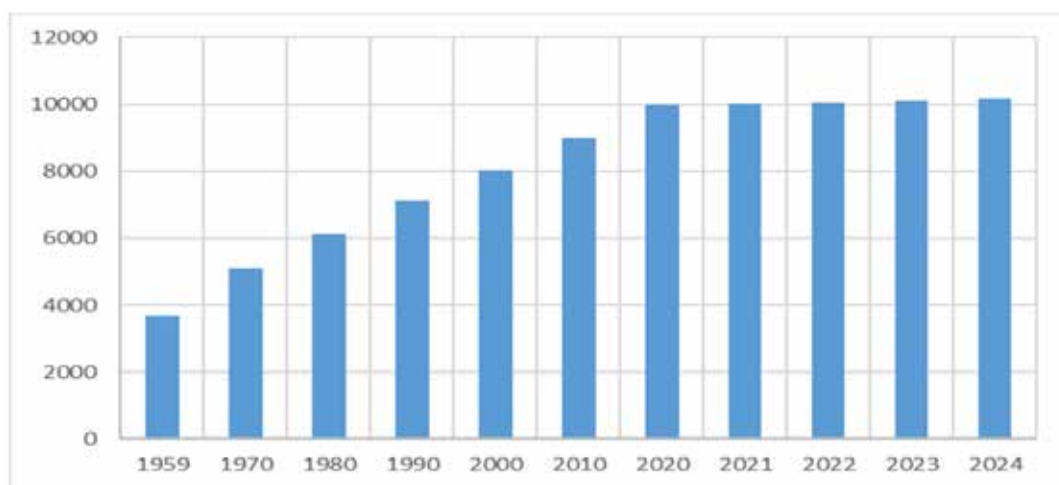

Fig. 2. Indicators of population dynamics in Azerbaijan (1959–2024)
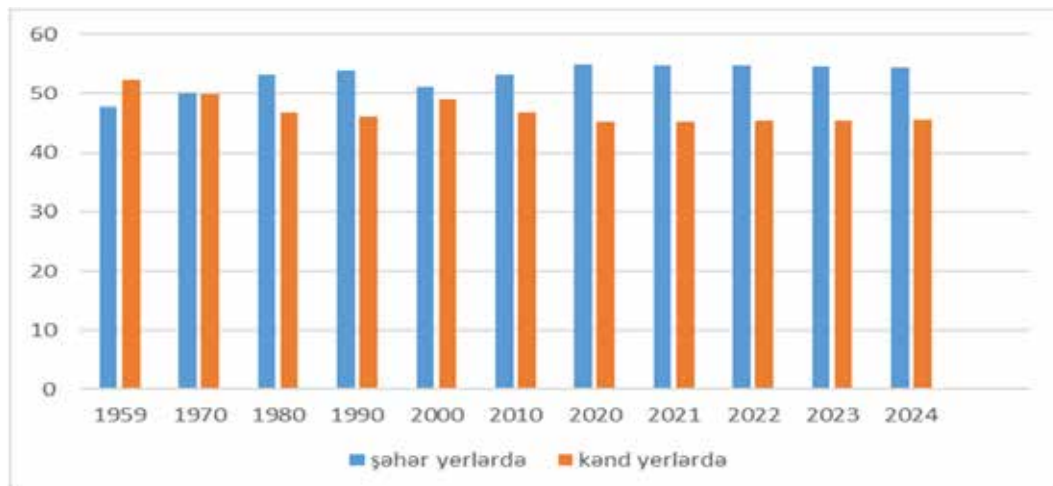*(State Statistical Committee of the Republic of Azerbaijan, 2023, p. 13)*

Fig. 3. Ratio of urban and rural population of Azerbaijan (1959–2024)
(State Statistical Committee of the Republic of Azerbaijan, 2023, p. 14)

machine building, especially in Baku and Sumgait began (Muradov Sh. M. 2008, 123–127 p). As a result, people moved to cities in search of work at industrial enterprises. Infrastructure was developed in the cities, some settlements received the status of cities, which automatically increased the number of the urban population. In the period 1990–2000 years, because of the annexation of 25% of the territory of Azerbaijan, mass resettlement of refugees and displaced persons was carried out in cities. It is necessary to note that the signing of the Contract of the Century, the presence of oil and gas projects Baku-Tbilisi-Ceyhan and others stimulated the growth and development of cities, making them attractive for foreign investments. Young people were sent to cities to get education, work, and career growth. As a result, the urban population's growth is steadily growing.

For a comprehensive description of the dynamics of population growth rates, general indicators of birth and death rates are used. General indicators of birth and death are the main demographic indicators that play a significant role in the analysis and forecasting of the size, structure, and rate of change of the population.
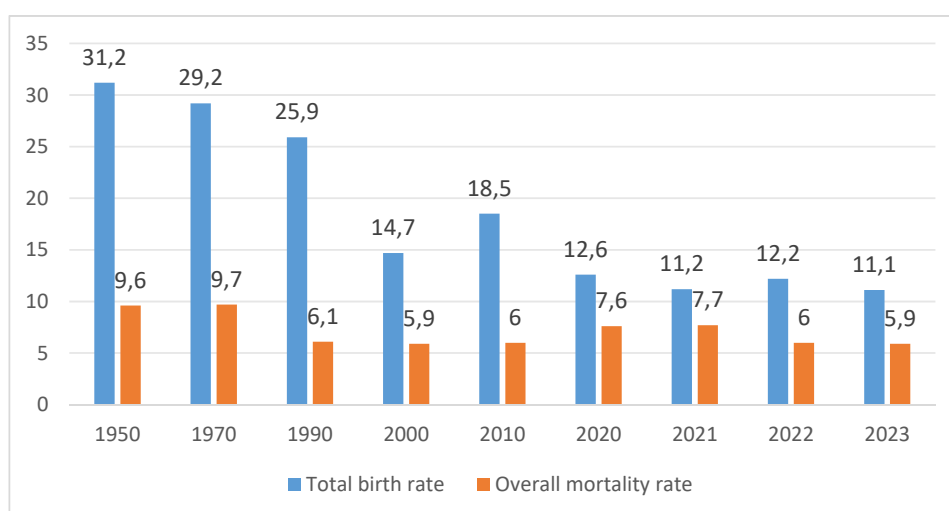

Fig. 4. Indicators of the total birth and death rates in Azerbaijan (1950–2023)
(State Statistical Committee of the Republic of Azerbaijan, 2023, p. 15).

According to the data provided, the total birth rate was: 31.21 births per 1,000 population in 1950, 29.2 in 1970, and 25.9 in 1990 (Figure 3). Since 2000, these figures have decreased from 14.7 to 11.1. The total death rate was 9.6 per 1,000 population in 1950, 9.7 in 1970, and 6.1 in 1990. While these indicators were 5.9 since 2000, a slight increase in these indicators was observed in subsequent years, reaching 7.7 in 2021, which is equivalent to 2–3 indicators in 2021. Analysis of these indicators shows that the natural population growth has a positive trend and indicates that population growth continues, albeit at a slower pace.

As in many countries, Azerbaijan is experiencing significant changes in the family and demographic relations of the population. Late marriage, delayed reproductive behavior, and increasing divorce rates are becoming increasingly noticeable trends, especially in urban areas (fig. 2). According to the number of marriages and divorces in Azerbaijan (per 1,000 population), fundamental changes were observed in 1950–2024. In the 1970s, the number of marriages began to decline sharply (fig. 5). This was due to a gradual decrease in the birth rate and a decrease in the number of young people of marriageable age and ready for marriage. Slowing economic growth, active participation of women in public life, etc.

The second wave of a sharp decline in the number of marriages was observed in the 1990s and lasted for about 10 years. The collapse of the Soviet Union, changes in the socio-economic structure, mass migration, loss of 25 percent of territory, loss of confidence in the future and disruption of economic stability were the main reasons.

The age structure of the population is important for assessing the labor potential, the level of burden on the healthcare, education, and social protection systems. The main groups of the population: 0–14 years (covers children and adolescents), 15–64 years (working-age population), 65 years and older (elderly population). According to 2024 data, in Azerbaijan 0–14 years old makes up about 22–24%, 15–64 years old – about 68–70%, 65 years and older – about 6–8%. Basis of the features of the age structure of the population of Azerbaijan, it can be concluded that there is a young population by European standards, an increase in the proportion of elderly people due to increased life expectancy, internal and external migration affect the balance of the working-age group, etc. Thus, the 15–64 years old group is the backbone of the national economy and the development of society, which makes up about 70% of the population of Azerbaijan according
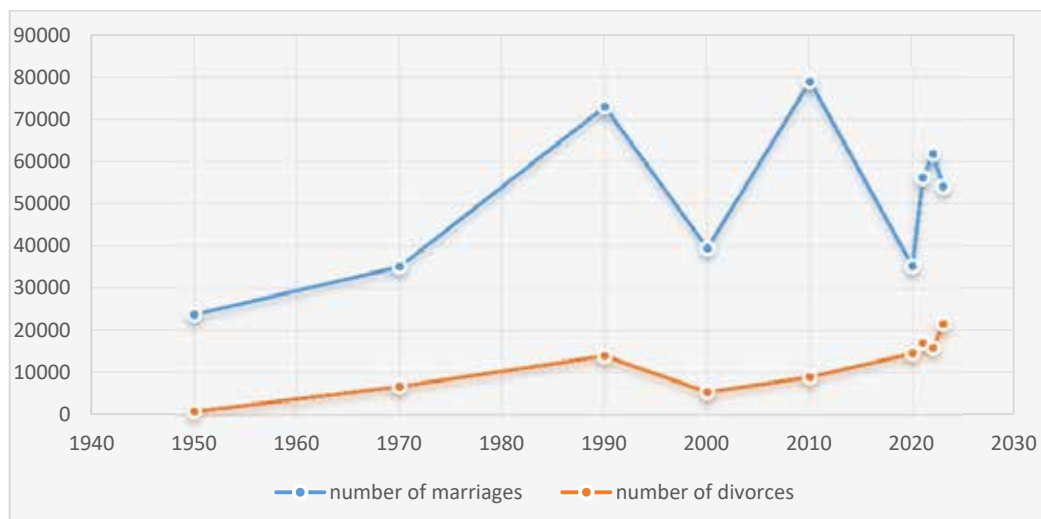

Fig. 5. Number of marriages and divorces in the Republic of Azerbaijan (per 1000 population)

(State Statistical Committee of the Republic of Azerbaijan, 2023, p.51).

to 2024 data. An effective demographic policy must provide jobs and maintain a balance between education and market needs.

Conclusion. Based on the data provided, it can be concluded that the share of 65+ in the demographic structure of the population is gradually increasing due to the growth of life expectancy and a decrease in the birth rate. Moreover, this trend will intensify in the next 10–15 years, especially in cities. This circumstance creates an additional financial burden on the pension system and health care. Using world experience and the policy of active longevity, the development of healthy aging programs, leisure, and involvement in social life. In this regard, the most priority areas in demographic policy are support for the birth rate and family values, sustainable development of the working-age population, migration management, improving the quality of demographic data and forecasting, etc. In recent years, the main trends in demographic policy in Azerbaijan reflect the state's desire to ensure sustainable reproduction of the population, improve socio-economic living conditions, and balance migration processes.

References:
1. Alakbarov U.K. (2018). Fundamentals of Inclusive Development Management", Baku, ELM, pp. 78–80.
2. Anderson, B. (2014). Projecting Low Fertility: Reflections on the Plausibility and Use of Hypotheses, Demographic Review, 1(1), 57–59.
3. David S. Reher. (2011). Economic and social implications of the demographic transition, Ronald D. Lee and David S. Reher, eds. Demographic Transition and Its Consequences. A supplement to Vol. 37, 2011 of Population and Development Review: p. 16.
4. Demographic Indicators of Azerbaijan. State Statistical Committee of the Republic of Azerbaijan (2023). Statistical publication, pp. 13–53.
5. Donella Meadows et al, (2020). The limits of growth. Subtitled "A Report for the Club of Rome's Project on the Predicament of Mankind".
6. Miettinen A, Basten S, Rotkirch A. Gender equality and fertility intentions revisited. Demographic Research. 2011; 24:469–96.
7. Peccei A. (2020). Notes of the Club of Rome, Alistorus Publishing House, 2020, 9–13 p.
8. Mammadova M. N. et al. Features and prospective trends of demographic development in Azerbaijan, Baku, 2007 "Seda", 244 p.
9. Muradov Sh. M. (2008) Dynamics and structure of the population of the Republic of Azerbaijan: main demographic and ethno-demographic changes (1897–2007), Baku: Elm, 123–127 s.
10. Sanderson W., Scherbov S. (2020). New Approaches to the Conceptualization and Measurement of Age and Ageing. Developments in Demographic Forecasting. S. Mazzuco, N. Keilman (eds.). Springer. https://doi.org/10.1007/978-3-030- 42472-5_1

STRIKES AND SABOTAGE ACTIONS IN WESTERN UKRAINE (1926–1929): DIPLOMATIC AND MILITARY-POLITICAL CONTEXTS OF SOVIET INFLUENCE ON THE POLISH STATE

Andrii Shchehlov,
Doctoral Student, Hetman Petro Sahaidachnyi National Army Academy
(Lviv, Ukraine)
ORCID ID: 0000-0002-6484-0864
deepinfaigh@gmail.com

Abstract. Between 1916 and 1926, protest and sabotage actions took place in the territories of Western Ukraine, actively supported and fueled by the Soviet Union. This process involved special services operating illegally, which carried out counterintelligence activities and developed an agent network within Ukrainian circles. The aim of this network was to obstruct the functioning of the state administrations of the Polish Republic. Socio-economic slogans were used as a cover for organizing destructive actions by activists of the Communist Party of Western Ukraine, the legal association "Sel–rob," pro-Soviet trade unions, and public organizations. The author seeks to conduct a source-based and historiographical analysis of this influence, also examining the USSR's diplomatic and military-political efforts.

Key words: Western Ukraine, Republic of Poland, act of sabotage, strike, Union of Soviet Socialist Republics.

Introduction. The preparation and launch of a full-scale war by the Russian Federation against the Ukrainian state is, among other things, based on the earlier Soviet experience of hybrid influence aimed at destabilizing neighboring countries through latent mechanisms of pressure, particularly by exacerbating external political and military crises. Given the applied novelty of the proposed research topic, its aim is not only to identify and evaluate analogies with the current Russian-Ukrainian war, but also to address pressing questions of historical reassessment and modern conceptualization of earlier contributions by Ukrainian historians and legal scholars in studying the complex processes of a century ago. This research is grounded in the introduction of valuable documents into public scholarly circulation from the collections of the Central State Archive of Public Organizations of Ukraine, the Central State Historical Archive in Lviv, and the State Archive of Lviv Oblast. These materials reveal the mechanisms behind the orchestration of certain strikes and acts of sabotage in Western Ukraine during the second half of the 1920s in the context of Soviet diplomatic and military-political instruments of influence on the Second Polish Republic.

The archival materials in question make it possible to supplement contemporary historiography of Soviet influence over the socio-political situation in Western Ukraine by highlighting the financial and organizational support provided to both legal and banned ultra-left political parties and public organizations, as prohibited by the Polish authorities. This dimension has been reflected in the works of T. Bortnik, I. Vasyuta, R. Husak, Z. Zakhozhai, O. Kozoriz, M. Mazypchuk, Yu. Perha, M. Pyrih, I. Soliar. While positively assessing the contributions of Ukrainian historians and legal scholars, it is important to point out the absence of a comprehensive study on the diplomatic and military-political instruments employed by Soviet special services and diplomacy to influence Poland – particularly through various forms of support for protest actions, primarily of a socio-economic nature, in towns and villages of Western Ukraine from Józef Piłsudski's May Coup in 1926 to the onset of sabotage actions in 1930. The purpose of this study is to conduct a source-based and historiographical analysis of strikes and sabotage actions in Western Ukraine during 1926–1929, through the lens of the USSR's diplomatic and military-political efforts aimed at destabilizing the internal political situation in the

Polish state in general, and in the newly established southeastern voivodeships with a predominantly Ukrainian population in particular.

Presenting main material. Soviet foreign policy in the interwar period (1918–1939) was carried out on the basis of the strategy and tactics of the "world revolution," which, in turn, envisioned the unification of all "anti-imperialist forces," including the so-called oppressed peoples (Makarchuk, 2024: 173). In doing so, the Soviet government organized clandestine activities, conducted agent-based, intelligence, and counterintelligence operations, and carried out acts of sabotage and terrorism (Zakhozhai, 2017: 31). In this context, particular attention was paid to Eastern Galicia and the Ukrainian lands along the Zbruch and Horyn rivers, which formed a new geographical region. The Polish state, restored in 1918, inherited Eastern Galicia from Austria-Hungary and Western Volhynia and Western Polissia from the Russian Empire – territories collectively known in historical literature as "Western Ukraine" (Zuliak & Makar, 2023: 96).

Contemporary historians and political scientists generally agree that Polish policy toward Ukrainians was, overall, repressive and implemented in various forms. A particularly distinctive feature of this policy toward the peasantry was the implementation of a colonization program (Zuliak & Makar, 2023: 99).

Acknowledging the incorporation of Eastern Galicia into the Second Polish Republic, the Soviet leadership in 1923–1925 conducted active intelligence and sabotage operations against the newly established Polish state in the borderlands of Western Volhynia and Eastern Galicia, a topic summarized in the author's previous works (Shchehlov, 2024a, Shchehlov, 2024b,), emphasizing, among other things, the national-political and socio-economic oppression by the Polish authorities.

The imposition of martial law and the escalation of mass repressions led to a decrease in protests against the Polish state with social and national-political demands, which were actively promoted by certain pro-Soviet political forces and individual Ukrainian activists. While in 1924 there were 5,585 group and individual protests recorded across the four voivodeships of Western Ukraine, in 1925 this number dropped to 3,417. The number of statistically recorded attacks on manor estates and government representatives also decreased from 267 to 150 (Vasiuta, 2001: 415).

Alongside this, one of the reasons for the Soviet special services to curtail "active intelligence" was the Yampil incident. As a result of an internal review and a subsequent meeting of the RCP(b) Politburo in February 1925, a resolution was adopted to cease "active intelligence" activities. By the end of 1925, the vast majority of Soviet "partisan" units operating in the eastern voivodeships of the Second Polish Republic were disbanded and partially withdrawn from the country by clandestine means (Humennyi, 2021: 119–120).

Specifically, clandestine outposts were established in the Soviet Union's neighboring countries, tasked with establishing necessary contacts, preparing and gathering valuable materials and information, and studying military facilities, among other duties. Small covert and armed groups organized in the borderlands of the USSR were responsible for conducting partisan warfare and disrupting enemy operations. The border zone was to be cleared of partisans, who were expected to independently cross the border to carry out active combat operations within the interior districts (Bortnyk, 2015: 121).

Despite the decline in acts of armed resistance, workers' and peasants' strikes did not cease. The acknowledgment by some historians that many strike actions were composite in nature, and that some were continuations of workers' strikes in Poland's industrial centers (Vasiuta, 2001: 48), should not diminish the influence on the strike movement of both Ukrainian legal and illegal political parties, particularly those under varying degrees of influence or even direct control by Soviet special services, the All-Union Communist Party (Bolsheviks), and the Comintern.

In particular, to "softly" encourage pro-Soviet orientations, the government appointed Ukrainians as its consuls in Lviv, sought to attract the Western Ukrainian intelligentsia and students by promoting the achievements of Soviet Ukraine and promising them a warm welcome, and financed various

public organizations. Communist propaganda easily influenced young, semi-literate individuals (with only 1–2 grades of primary education), who fell under the sway of well-trained Bolshevik agitators, trained in special courses in Kharkiv (Zakhozhai, 2006: 234).

One of the main directions of Soviet leadership activity in Eastern Galicia was considered to be control over political parties. This work was conducted in a differentiated manner, depending on the ideological orientation of each party. The Communist Party of Western Ukraine (CPWU) received the greatest "patronage" from the All-Union Communist Party (Bolsheviks) and the Communist Party (Bolsheviks) of Ukraine (CP(b)U). Formed essentially at the initiative of the Bolsheviks, it was financed from the budget of the Ukrainian SSR and supplied with literature and personnel (Zakhozhai, 2017: 31).

After the crisis of the early 1920s, which affected all political parties in Western Ukraine, the CPWU underwent intensified "Bolshevization" at the initiative of the CP(b)U and the Communist Workers' Party of Poland (CWPP). In April 1924, the party held its 5th conference under this slogan. Ordinary party members and their local leadership became hostages to the aggressive and far-sighted intentions of Kremlin politicians – the "export of revolution" (Husak, 2014: 52).

A turning point in the policy of the CPWU was its 2nd Congress, held in October 1925. The main goal of the party's activity became the communization and proletarian revolution in Poland, as well as the integration of Western Ukraine into socialist Ukraine. The Congress emphasized that at that time the party was primarily supported by the peasantry due to the region's industrial backwardness and the ethno-social composition of Western Ukraine (Perha, 2014: 43).

Meanwhile, the domestic political situation in Poland escalated to such a degree that on the night of May 12, 1926, Marshal Józef Piłsudski began his march to power once again. Piłsudski's supporters had the advantage and started pushing government troops out of downtown Warsaw. Piłsudski had influence over the Polish Socialist Party (PPS), of which he was once a founder, and the trade unions, and through them – over the railway workers. As a result, railway workers allowed troops loyal to Piłsudski to enter the capital, while detaining government-loyal regiments (Melʹnyk, 2016).

The Ukrainian factor also played a role during the coup. In particular, General Władysław Sikorski, a graduate of the Lviv Polytechnic and former prime minister, evidently hesitated to send troops to Warsaw because he was unsure who would win. Meanwhile, there was an opportunity to intimidate the capital somewhat with "Ukrainian movements" (Melʹnyk, 2016).

Unlike the Communist Party of Poland (CPP), the CPWU did not support Piłsudski's coup. At the same time, as party members noted, the coup took place with the direct support of the Polish Socialist Party (PPS), which declared a railway workers' strike, followed by a general strike across the country. On May 14, 1926, the CPP called on workers to launch a general strike and later urged armed support for Piłsudski (Behei, 2015: 103).

In the first days following Józef Piłsudski's coup in May 1926, the CPWU "set out to correct its mistake." In their leaflet, the communists stated that "the hopes of workers and peasants who, singing the 'Red Banner,' helped Piłsudski to victory, were not fulfilled: instead of a workers' and peasants' government, the bourgeoisie came to power, preparing to decisively crush the working people." Therefore, the CPWU called on the working masses to form a united front to fight fascism and to achieve their own workers' and peasants' demands, as expressed in the slogans of the Communist Party (Behei, 2015: 103–104).

The most high-profile trial after the May 15, 1926, coup d'état, aimed against the communist movement, was the mass trial accusing individuals of membership in the banned CPWU. This trial took place from November 1926 to January 1927 in Volodymyr-Volynskyi (Yarosh, 2005: 316). At that time, 151 workers and peasants stood trial, of whom 9 were sentenced to life imprisonment, 19 were acquitted, and the rest received various prison terms (TsDAHO Ukrainy, F. 233, Op. 1, Spr. 66, Ark. 45).

Despite the repressions by the Polish authorities against local communist activists, figures from Soviet Ukraine were constantly present in Western Ukraine, sent there by decision of the Central Committee of the CP(b)U. On August 5, 1926, the training courses for intelligence agents were completed, among whom were also ethnic Poles. Prior to this, around 80 members had already been sent out for assignments (DALO, F. 271, Op. 1, Spr. 32, Ark. 19). They returned after being exposed by the police, as in the case of O. Yavorskyi, who stayed in Poland from November 1926 until May 1927 (TsDAHO Ukrainy, F. 6, Op. 1, Spr. 371, Ark. 118).

The movement of communist activists across the country was strictly controlled. In the event of their relocation from one voivodeship to another, a notice of approximately the following content was immediately sent: "Command of the Voivodeship State Police Directorate in Kraków to the Investigative Authority in Lviv. We inform you that on September 4, 1927, Frant (a communist activist and Soviet spy) arrived in Lviv. He will be speaking at one of the local casinos. Please begin surveillance on him" (Kozoriz, 2018: 154).

The CPWU, led by K. Savrych (Maksymovych), Y. Krylyk (Vasylkiv), and R. Kuzma (Turiansky), at that time "stood" on the position of Ukrainian communism and expressed solidarity with the opposition of O. Shumsky against the General Secretary of the Central Committee of the CP(b)U) L. Kaganovich. In connection with this, in 1927 the Party again split into the "majority" and the "minority." The "majority" defended K. Savrych, who, at the February–March plenum of the CP(b)U Central Committee, supported O. Shumsky on the national question. The split indicated the disagreement of Ukrainian communists, especially Western Ukrainians, with the dictatorial methods of J. Stalin and his circle. At the beginning of 1928, by joint measures of the Comintern, the CP(b)U, and the CPP, the "majority" was removed from the leadership of the CPWU. After liquidating the Maksymovych–Vasylkiv–Turiansky group, M. Zaiatchkivskyi (Kosar), H. Ivanenko (Baraba), and others came to lead the CPWU. As a result, the party lost two-thirds of its members and numbered about 600 communists in its ranks (Husak, 2014: 52).

One of the key milestones in the interaction between the CPWU and the CP(b)U was the financing of the Western Ukrainian movement. The Soviet communists generously funded the party: for example, by September 1926, 6,000 US dollars were transferred from the CP(b)U fund to the CPWU (Zakhozhai, 2006: 325). However, starting from April 1927, all subsidies for the CPWU's operations from the CP(b)U funds were discontinued, and the party's existence was put at risk. On the eve of these events, a special resolution of the Politburo allocated 50,000 US dollars for the election campaign in connection with the threat of dissolution of the Sejm (Pyrih, 2016: 108).

At the same time, in an atmosphere of growing pro-Soviet sentiments and communist propaganda, in 1924 a left-radical group led by K. Valnytsky separated from the Moscophilic Galician Ruthenian Organization and declared itself the Socialist Peasant Party "People's Will" (Kuhutiak, 1993: 176). In the special supplement to the newspaper "Volya Naroda" dated October 24, 1926, particular interest is drawn by the thesis that "Only socialism will break the chains of national oppression," demonstrating that the party gradually adopted the ideological positions of CPWU (TsDIA u Lvovi, F. 351, op. 1, Spr. 99, Ark. 20).

As I. Solyar convincingly argues, the subsequent merger of the "Selsoviet" and "Narodna Volya" did not come from these Western Ukrainian parties or their leadership, but directly from the Comintern and the KPZU, which later influenced the split within the structures (Soliar, 2006–2007: 126).

Since communist activity was banned in Poland, the KPZU operated underground. The Ukrainian Peasant-Worker Union ("Sel-rob") and some other organizations served as legal covers for communist activities (Zakhozhai, 2012: 197).

Ideologically and financially supported were the legal pro-communist parties under the influence of the KPZU – the Ukrainian Social Democratic Party and "Selrob." Partially funded was also the party of Yevhen Petrushevych (UPP), which adopted pro-Soviet positions, though it did not enjoy

particular trust. Through these parties, the communist regime sought to spread pro-Soviet sentiments among the population of Eastern Galicia (Zakhozhai, 2017: 32).

At the outset, 10,000 rubles per month were allocated to support "Selrob" – for newspaper publishing, the General Secretariat, organizing local secretariats, and supporting cooperative and cultural-educational organizations. Later, this amount was reduced to 6,500 rubles. These funds did not include election expenses for the Sejm. Separate budget items covered work aimed at destabilizing UNDO internally, particularly through support for the "Rada Group" and the left-wing social radicals, as well as efforts to undermine the "Khliboid" organizations. Additionally, 1,200 rubles were allocated for émigré activities. Since the left-radical forces actively competed for influence among cultural-educational organizations and student societies, a significant portion of the budget was dedicated to these activities. Altogether, 2,300 rubles per month were planned for these purposes, including press manipulation, organizational, and representative expenses (TsDAHO Ukrainy, F. 6, Op. 1, Spr. 261, Ark. 14).

У 1927 р. Політбюро ЦК КП(б)У виділяло на діяльність "Сельроб" вже 4 тис руб. щомісячно. За ці кошти видавалися газети "Світло", "Наше слово", журнал "Культура" (легальні видання) та "Земля і воля", "Наша правда" (нелегальні) (TsDAHO Ukrainy, F. 6, Op. 1, Spr. 371, Ark. 171).

Therefore, it is quite understandable that "Selrob" placed its main emphasis on the "struggle against the UNDO-fascist camp" and the so-called "anti-war campaign" against the Soviet Union, taking into account the alleged plans of Poland, with the help of Great Britain, to organize a "second march on Kyiv" (TsDAHO Ukrainy, F. 233, Op. 1, Spr. 112, Ark. 30), What should we focus on in more detail.

As is known, the year 1927 entered diplomatic history as the "military alarm" – a crisis in Anglo-Soviet relations with the threat of a full-scale war between the USSR and the British Empire. This crisis began with the statement on February 23 by British Foreign Secretary N. Chamberlain, who threatened to sever diplomatic relations with the Soviet Union if it did not cease its subversive activities against Great Britain and its allies. In response, the USSR launched a propaganda campaign titled "Our reply to Chamberlain." In defense of the USSR and against the "provocations of international imperialism," separate rallies were held under slogans such as "Hands off the USSR!," "Long live Soviet power!," and "Long live the reunited Soviet Ukraine!" (Zakhozhai, 2017: 31).

Continuing further in implementing the Bolshevik strategy of internal political destabilization of Poland, for example, in the openly provocative article "Polish Fascism and the Threat of War," published in February 1927 in the KPZU journal "Pravda", the author under the pseudonym Turiansky clearly defined the party's task: "to respond to the imperialist war with a civil war" (TsDAHO Ukrainy, F. 233, Op. 1, Spr. 66, Ark. 23).

The inhabitants of Western Ukraine became targets of Soviet propaganda even regarding events that did not directly affect the region. In particular, the issue of the Vilnius conflict between Poland and Lithuania was constantly kept in the spotlight by the leadership of the USSR. Thus, at the end of 1927, Polish-Lithuanian relations once again worsened, and Moscow took up the usual role of either trying to normalize them or, rather, pouring oil on the fire. In translation from the Aesopian language of Soviet diplomacy into plain terms for the general public – cease pressuring Kaunas to recognize de jure the established border (by signing a peace treaty) Makarchuk, 2024: 177).

Meanwhile, among other things, the KPZU distributed a leaflet stating that "The recent Polish-Lithuanian conflict, provoked by its fascist governments, must be a prelude to the world imperialist war against the dictatorship of the proletariat, against the Workers' and Peasants' Republics, against the great achievements of the October Revolution," because "The fascist Piłsudski, acting on the orders of the world imperialists and in their interest, wants to drive you and your sons into a new bloody massacre... The faithful allies of Piłsudski's designs are the PPS, Bund, UNDO, and the Radicals...," and therefore "Stand up in defense of the USSR. You must transform the imperialist war

against the USSR into a class war against the capitalists and landlords" (TsDIA u Lvovi, F. 205, Op. 1, Spr. 567, Ark. 1).

Soviet-Polish relations further deteriorated after the assassination on June 6, 1927, of the Soviet permanent representative (later ambassador) P. Voikov by the Russian émigré B. Koverda. Following the assassination of Soviet ambassador P. Voikov, the CPP held a loud anti-war month in defense of the USSR, during which various events were organized "against the fascist dictatorship of Piłsudski and his henchmen" (Zakhozhai, 2017: 31).

The level of communist propaganda in Eastern Galicia is evidenced by documents from that time. For example, in a decree of the Metropolitan Ordinariate dated March 21, 1927, it was stated that "… the general meetings of the 'Prosvita' society and the 'Ridna Shkola' society were notable for revealing the outstanding successes of communist propaganda… They showed that Bolshevik agitation had found access to the masses and was crowned with significant successes" (Zakhozhai, 2006: 236).

Following the example of Soviet practice, so-called "revolutionary holidays" were celebrated in Eastern Galicia by communist and pro-communist forces – including May 1st, the anniversary of the October Revolution, the International Day of the Fight Against War (August 1st), International Youth Day, the Day of the Paris Commune, and others. These celebrations took place under slogans supporting the USSR, the necessity of reunification with the Ukrainian SSR, and the international unity of workers and peasants (Zakhozhai, 2017: 31).

Communist activists effectively provoked certain categories of citizens to take violent actions against the Polish authorities, which held full control over the police and military apparatus used to suppress uprisings. For example, in January 1926, at a meeting attended by communist Sejm deputies Voityuk and Pashchuk, a new committee of unemployed persons of the Carpathian region was elected. The delegations of unemployed repeatedly appealed to the starostwo (district administration) and magistrate, demanding work and regular payment of assistance (Stryi, Stryis′kyi raion..., 1968). Next, in response to the protest of nearly 2,000 unemployed people in the city of Stryi on March 31, 1926, the authorities ordered to open fire (Vasiuta, 2001: 48). On March 31, 1926, during a demonstration in Stryi, the police killed 11 participants and wounded 22 (TsDAHO Ukrainy, F. 223, Op. 1, Spr. 66, Ark. 41).

Some archival data testify to the dynamics of the strike movement in Western Ukraine in the second half of the 1920s. Thus, according to available archival materials, only in the first half of 1927, 50 strikes were recorded in the Lviv Voivodeship alone (TsDIA u Lvovi, F. 351, Op 1, Spr. 7, Ark. 1–3). Among them, the largest strikes included the strike of 1,000 brick factory workers in Sykhiv near Lviv, which lasted 8 days; 650 tailor workers in Lviv (19 days); 320 shoemakers in Przemyśl (8 days); 270 workers at the oil refinery in Krosno (8 days); and others.

In the second half of 1928, agrarian strikes began in the Lviv region – in the Rava-Ruska and Zhovkva districts. The following year, they spread to the landed estates of 130–150 villages across twenty districts of the region, involving about 50,000 permanent and seasonal agricultural workers and peasants. Alongside economic demands, they also put forward political demands: the establishment of a workers' and peasants' government, the redistribution of landlord land without compensation among hired workers and peasants, and so on (Vasiuta, 2001: 50). In 1929, the strike movement encompassed about 50,000 peasants across 18 districts of Western Ukraine (Chopovskyi, 1993: 78).

During the economic strikes of workers and peasant unrest, political slogans were inevitably added to the purely economic demands – the struggle for the abolition of the bourgeois order, national oppression, and for the establishment of Soviet power. A telling example of this is a leaflet from the strike committee of agricultural and forestry workers of the village of Potoky in June 1929, which stated:

"Brothers peasants! Our program is your program. Breaking the strike is breaking the united front of agricultural workers and the poorer peasantry. Fight fascism, disrupt the preparation for war against the USSR. Demand an 8-hour working day for adults and 6 hours for minors. Demand wage

increases and payment of arrears. Long live the workers' and peasants' government! For land without redemption! Long live the united front of Polish, Ukrainian, and Jewish workers and peasants!" (Zakhozhai, 2017: 31).

It is also important to highlight that in this very year there were intensified attempts to carry out sabotage actions by patriotically minded former military members of Ukrainian armed formations, who were clearly under the influence of Soviet intelligence services. These individuals spread communist propaganda narratives such as: "Our brothers beyond the Zbruch River have taken land from the landlords, have their own communal and district self-government, have their own Ukrainian national schooling, and have open doors to the highest authorities of their Ukrainian Soviet Republic" (TsDAHO Ukrainy, F. 233, Op. 1. Spr. 88, Ark. 1).

The subject is the Western Ukrainian People's Revolutionary Organization (ZUNRO). ZUNRO was a clandestine military-political association. It was founded in 1925 by a group of military émigrés led by Colonel O. Dumin, based on the Western Ukrainian Club – supporters of the ZUNR president Yevhen Petrushevych. The organization was formally established in 1926 in Berlin (Germany). Its program and statute aimed at consolidating the Ukrainian nation in the struggle against Polish occupation authorities and acknowledged the legitimacy of using terrorist methods. According to historian K. Naumenko, ZUNRO had a pro-Soviet orientation, opposed the "compromise" policy of UNDO and the "radical" policy of UVO (from which it had split), and advocated for the incorporation of Western Ukraine into the Ukrainian Soviet Socialist Republic (USSR). It maintained a network of cells to carry out sabotage actions, mainly in the Pokuttya region (Naumenko, 2005).

In one of the leaflets of this organization, particular emphasis was placed on preparing for an armed uprising through gaining military experience in the Polish army (by analogy to the Ukrainian Sich Riflemen during the Austro-Hungarian period – ed. A. Shcheglov), specifically stating: "Send your sons to the Polish army, and tell them, and command them, that they are not going there to serve the Polish state, but so that, at the call of the Western Ukrainian National Revolutionary Organization, when the right time comes, they may join the ranks of the Ukrainian national-revolutionary army and help drive out the Poles…" and "Organize yourselves into underground revolutionary groups, inform each other, form a resistance front against all Poles, whether they be landlords, their stewards, Polish priests or teachers, or finally Polish officials – bailiffs, executors, and policemen – for they are all your enemies, to whom no indulgence can be shown, because they all uphold Poland on our land" (TsDAHO Ukrainy, F. 233, Op. 1. Spr. 88, Ark. 1).

In 1928, 15 members of ZUNRO (including two sons of the famous writer V. Stefanyk) were sentenced at the Lviv trial, and the following year the organization ceased its activities (Naumenko, 2005).

Conclusions. Thus, it can be asserted that protest actions in Western Ukraine during 1916–1929 played an important role, being directed against the institutions of the Polish state and instigated from the Soviet Union. Soviet special services actively engaged in clandestine operations, conducting intelligence and counterintelligence activities among various Ukrainian communities aimed against the Polish military and civil administration in the southeastern regions of the country, which formed the new geographical region of Western Ukraine.

A characteristic feature of this stage of the Soviet strategy and tactics of destructive influence was the practical abandonment of armed actions in favor of strikes, demonstrations, and other protest activities, disguised under socio-economic slogans. The real initiators of protests in Western Ukraine in the late 1920s were not only activists of the banned Communist Party of Western Ukraine but also the effectively controlled legal party "Selrob," as well as certain trade unions and other pro-Soviet public organizations. At the same time, direct funding of these structures and their individual leaders was often provided directly by Soviet diplomats from Warsaw and, after 1928, from the General Consulate in Lviv.

It is also important to note that the protest actions of a socio-economic nature, conducted by segments of peasants and workers in Western Ukraine, were actively directed by Soviet special services during certain periods to weaken the foreign policy positions and military potential of the Second Polish Republic, as occurred in 1927 during the escalation of its conflict with Lithuania, behind which the USSR clearly stood.

Separate, more detailed attention should be given to the origins, activities, and significance of the underground Western Ukrainian National Revolutionary Organization (ZUNRO), in light of the obvious role of the USSR's special services in combining the national-patriotic and socio-economic foundations of its program and tactics with a pronounced pro-Soviet orientation.

References:

1. Behei, I. (2015). Ideino-teoretychna spadshchyna ta praktychna diialnist ukrainskoi livytsi Halychyny (kinets XIX – persha tretyna XX stolittia) [The ideological and theoretical legacy and practical activity of the Ukrainian left in Galicia (late 19th – first third of the 20th century)]. Dysertatsiia na zdobuttia naukovoho stupenia doktora politychnykh nauk zi spetsialnosti 23.00.01 – teoriia ta istoriia politychnoi nauky. Lvivskyi natsionalnyi universytet imeni Ivana Franka. Lviv, 503 s. (In Ukrainian).

2. Bortnik, T. (2021). Uchast "Selianskoho soiuzu" u stvorenni Ukrainskoho seliansko-robitnychoho sotsialistychnoho obiednannia ("Sel–Rob") [The Participation of the "Peasant Union" in the Establishment of the Ukrainian Peasant-Worker Socialist Association ("Sel–Rob")]. Novitnia doba, 9, 50–62. (In Ukrainian).

3. Bortnyk, L. (2015). Korpus okhorony prykordonnia na Volyni u 1924–1939 rr. [The Border Protection Corps in Volhynia in 1924–1939]. Dysertatsiia na zdobuttia naukovoho stupenia kandydata istorychnych nauk zi spetsialnosti 07.00.01 – Istoriia Ukrainy. Skhidnoievropeiskyi natsionalnyi universytet imeni Lesi Ukrainky. Lutsk. 284 s. (In Ukrainian).

4. Chopovskyi, V. (1993). Ukrainsʹka intelihentsiia v natsionalʹno-vyzvolʹnomu rusi na Zakhidnii Ukraini (1918–1939) [Ukrainian intelligentsia in the national liberation movement in Western Ukraine (1918–1939)]. Lʹviv: Krai, 168 s. (In Ukrainian).

5. Humennyi, S. (2021). Nelegalni mihratsiini protsesy na polsko-radianskomu kordoni (v administratyvnykh mezakh USRR/URSR) u 1921–1939 rr. [Illegal migration processes on the Polish-soviet border (within the administrative borders of the Ukrainian SSR) in 1921–1939]. Dysertatsiia na zdobuttia naukovoho stupenia doktora filosofii zi spetsialnisti 032 "Istoriia ta arkheolohiia". Kyivsʹkyi natsionalʹnyi universytet imeni Tarasa Shevchenka. Kyiv, 249 s. (In Ukrainian).

6. Husak, R. (2014). Livoradykalʹnyi rukh Skhidnoi Halychyny ta Zakhidnoi Volyni mizhvoyennoho periodu [The left-radical movement of Eastern Galicia and Western Volhynia in the interwar period]. Naukovi zapysky Ternopilsʹkoho natsionalʹnoho pedahohichnoho universytetu imeni Volodymyra Hnatiuka. Ser. Istoriia, 2, ch. 3, 51–56. (In Ukrainian).

7. Kozoriz, O. (2018). Orhanizatsiia ta diialʹnistʹ politsii na zakhidnoukrainsʹkykh zemliakh u skladi Respubliky Polʹshcha (1921–1939) [Organization and activities of the police in the western ukrainian lands within the Republic of Poland (1921–1939)]. Dysertatsiia na zdobuttia naukovoho stupenia kandydata yurydychnykh nauk zi spetsialnosti 12.00.01 – teoriia ta istoriia derzhavy i prava; istoriia politychnykh i pravovykh vchenʹ. Lʹvivsʹkyi natsionalʹnyi universytet Ivana Franka. Lviv, 254 s. (In Ukrainian).

8. Kuhutiak, M. (1993). Halychyna: storinky istoriï: Narys suspilʹno-politychnoho rukhu (XIX st. – 1939 r.) [Halychyna: pages of history: an outline of the socio-political movement (19th century – 1939)]. Ivano-Frankivsʹk, 200 s. (In Ukrainian).

9. Makarchuk, V. (2024). Timeo danaos et dona ferentes, abo yak Kremlʹ druzhyv z nezalezhnoiu Lytvoiu proty Druhoi Rechi Pospolytoi (1918–1940): istorychna ta istoryko-pravova rozvidka [Timeo danaos et dona ferentes, or how the Kremlin befriended independent Lithuania against the Second Polish Republic (1918–1940)]. Visnyk Natsionalʹnoho universytetu «Lʹvivsʹka politekhnika». Seriia: "Yurydychni nauky". T. 11, № 1, 173–182. DOI: https://doi.org/10.23939/law2024.41.173 (In Ukrainian).

10. Mazypchuk, M. (2016). Ukrainsʹkyi livoradykalʹnyi rukh na Halychyni ta Volyni (1920-ti roky) [Ukrainian left-radical movement in Halychyna and Volynhia in the 1920s]. Rezhym dostupu: https://commons.com.ua/ru/ukrayinskij-livoradikalnij-ruh-na-galichini-ta-volini-1920-ti-roki/ (In Ukrainian).

11. Melʹnyk, I. (2016). Perevorot Pilsudsʹkoho ta lʹvivsʹkykh politekhnikiv [Pilsudski's Coup and the Lviv Polytechnic personnel]. ZBRUC. Rezhym dostupu: https://zbruc.eu/node/51374 (In Ukrainian).

12. Naumenko, K. (2005). Zakhidnoukrainsʹka narodno-revoliutsiina orhanizatsiia [Western Ukrainian National Revolutionary Organization]. Entsyklopediia istorii Ukrainy: T. 3: E–I. Instytut istorii Ukrainy. Kyiv: V-vo «Naukova dumka», 672 s.: il. Rezhym dostupu: http://www.history.org.ua/?termin=ZUNRO (In Ukrainian).

13. Perha, Yu. (2014). Evoliutsiia diialʹnosti komunistychnoi partii Zakhidnoi Ukrainy na Kholmshchyni ta Pidliashshi v 1923–1926 rr. [Evolution of the activities of the Communist Party of Western Ukraine in Chełm and Podlasie regions in 1923–1926]. Visnyk Kyivsʹkoho natsionalʹnoho universytetu imeni Tarasa Shevchenka: Istoriia. № 5. S. 42–44. (In Ukrainian).

14. Pyrih, M. (2016). Ukrainsʹkyi livoradykalʹnyi rukh u Polʹshchi (1919–1929 rr.) [Ukrainian Left-Radical Movement in Poland (1919–1929)]. Dysertatsiia na zdobuttia naukovoho stupenia kandydata istorychnykh nauk zi spetsialnosti 07.00.01 – istoriia Ukrainy, Lʹvivsʹkyi natsionalʹnyi universytet imeni Ivana Franka. Lviv, 245 s. (In Ukrainian).

15. Shchehlov, A. (2024a). Radiansʹki rozviduvalʹno-dyversiini operatsii na zakhidnoukrainsʹkykh zemliakh u skladi Druhoi Rechi Pospolytoi pershoi polovyny 20-kh rokiv XX st.: vitchyznianyi istoriohrafichnyi vymir [Soviet intelligence and sabotage operations in the western ukrainian lands within the Second Polish Republic in the first half of the 1920s: a domestic historiographical dimention]. Aktualʹni pytannia humanitarnykh nauk, 81, T. 2, 41–48. DOI: https://doi.org/10.24919/2308-4863/81-2-5 (In Ukrainian).

16. Shchehlov, A. (2024b). Rozviduvalʹna ta dyversiina diialʹnistʹ SRSR proty Polʹshchi na ukrainsʹkii d_lians'i kordonu v 20–30-kh rokakh XX st.: suchasna vitchyzniana istoriohrafiia [Intelligence and sabotage activities of the USSR against Poland on the ukrainian border section in the 1920s–1930s: contemporary domestic historiography]. Aktualʹni pytannia u suchasnii nautsi. 6 (24), 1244–1256. DOI: https://doi.org/10.52058/2786-6300-2024-6(24)-1244-1256 (In Ukrainian).

17. Soliar, I. (2006–2007). "Selʹrob" vid stvorennia do rozkolu (1926–1927 rr.) ["Selrob" from formation to disunity (1926–1927)]. Halychyna, 12–13, 126–132. (In Ukrainian).

18. Stryi, Stryisʹkyi raion, Lʹvivsʹka oblastʹ. Istorii mist i sil Ukrainsʹkoi RSR [Striy, Striy District, Lviv Region, Histories of cities and villages of the Ukrainian SSR] (1968). Rezhym dostupu: http://ukrssr.com.ua/lvivska/striyskiy/striy-striyskiy-rayon-lvivska-oblast#google_vignette (In Ukrainian).

19. Vasiuta, I. (2001). Natsionalno-vyzvolnyi rukh u Zakhidnii Ukraini (1918–1939 rr.) (Ch. 2) [The National Liberation Movement in Western Ukraine (1918–1939)]. Ukrainskyi istorychnyi zhurnal, 6, 35–64. (In Ukrainian).

20. Vasiuta, I. (2010). Halytsko-Volynske selo mizh svitovymy viinamy: monohrafiia [The galician-volhynian village between the World wars: monograph]. Lviv: Kameniar, 507 s. (In Ukrainian).

21. Yarosh, B. (2005). Ukrainsʹki partii ta politychnyi rukh u Druhii Rechi Pospolytii v mizhvoyennyi period (1931–1939 rr.) [Ukrainian parties and political movement in the Second Polish Republic in the interwar period (1931–1939)]. Ukraina i Polʹshcha: dialoh kultur (Movno-literaturni ta suspilʹno-politychni vidnosyny), 312–320. (In Ukrainian).

22. Zakhozhai, Z. (2006). Pro radianofilʹski nastroi u Skhidnii Halychyni v 20–30-ti roky XX storichchia [About pro-soviet sentiments in Eastern Galicia in the 1920s–1930s]. Naukovi zapysky Instytutu politychnykh i etnonatsionalʹnykh doslidzhenʹ, 32, 233–243. (In Ukrainian).

23. Zakhozhai, Z. (2012). Politychne zhyttia Skhidnoi Halychyny v mizhvoyennyi period XX stolittia [Political life of Eastern Galicia in the interwar period of the 20th century]. Politolohichnyi visnyk, 63, 194–202. (In Ukrainian).

24. Zakhozhai, Z. (2017). Mizh polʹsʹkym "molotom" i radiansʹkym "kovadlom" (Skhidna Halychyna v 20–30 rr. XX st.) [Between the polish "Hammer" and the Soviet "Anvil" (Eastern Galicia in the

1920s–1930s)]. Naukovi zapysky Ternopilsʹkoho natsionalʹnoho pedahohichnoho universytetu imeni Volodymyra Hnatiuka. Seriia: Istoriia, 1, 29–35. (In Ukrainian).

25. Zuliak, I., Makar, Yu. (2023). Skhidna Halychyna i Zakhidna Volynʹ: osoblyvosti kulturno-osvitnʹoho i sotsialʹno-ekonomichnoho stanovyshcha u mizhvoyennii Polʹshchi [Eastern Galicia and Western Volhynia: features of the cultural-educational and socio-economic situation in interwar Poland]. Litopys Volyni, 28, 95–102. DOI: https://doi.org/10.32782/2305-9389/2023.28.12 (In Ukrainian).

26. Derzhavnyi arkhiv Lʹvivsʹkoi oblasti (dali – DALO) [State Archive of Lviv Oblast]. F. 271. Dyrektsiia politsii u Lʹvovi Lʹvivsʹkoho voievodstva [Police Directorate in Lviv of the Lviv Voivodeship]. Op. 1. Spr. 32. Nahliadova sprava za diialʹnistiu Komunistychnoi partii Zakhidnoi Ukrainy (KPZU) z dodavanniam lystivok, hazety (kopii) "Komunistychnyi shtandar" [Supervisory case on the activities of the Communist Party of Western Ukraine (CPWU) with the addition of leaflets, newspapers (copies) "Kommunistychniy Shtandar"], 05.01.1926 – 16.08.1927 r., 156 ark. (In Ukrainian).

27. Tsentralnyi derzhavnyi arkhiv hromadskykh obʺiednanʹ Ukrainy (dali – TsDAHO Ukrainy) [Central State Archive of Public Organizations of Ukraine]. F. 6. Komunistychna partiia Zakhidnoi Ukrainy [Communist Party of Western Ukraine]. Op. 1. Spr. 261. Protokol zasedannia komisii Politybiuro TsK KPZU, rezoliutsiia, dokladni zapysky i pysma, pryslani v TsK KPZU po pytanniam natsionalʹnoi polityky i polozhennia v Polʹshchi. 17/XI – 3/XII 1926 r. [Protocol of the Meeting of the Politburo Commission of the Central Committee of the Communist Party of Western Ukraine (CPWU), Resolution, Reports, and Letters Sent to the CPWU Central Committee on Issues of National Policy and the Situation in Poland. November 17 – December 3, 1926], 37 ark. (In Russian).

28. TsDAHO Ukrainy. F. 6. Komunistychna partiia Zakhidnoi Ukrainy [Communist Party of Western Ukraine]. Op. 1. Spr. 371. Vypysky z protokoliv zasedannia TsK KPZU i perepyska po orhanizatsiynym pytanniam stanu partiyno-politychnoi roboty, 1927 r. [Extracts from the Protocols of the Central Committee Meetings of the Communist Party of Western Ukraine (CPWU) and Correspondence on Organizational Issues Regarding the State of Party-Political Work, 1927], 246 ark. (In Russian).

29. TsDAHO Ukrainy. F. 233. Predstavnytstvo Komunistychnoi partii Zakhidnoi Ukrainy v polʹskii sektsii vykonavchoho komitetu Komunistychnoho internatsionalu [Representation of the Communist Party of Western Ukraine in the Polish section of the Executive Committee of the Communist International]. Op. 1. Spr. 66. Zhurnal "Nasha pravda" – orhan TsK Kompartii Zakhidnoi Ukrainy. 1926–1934 rr. [Journal "Nasha Pravda" – organ of the Central Committee of the Communist Party of Western Ukraine], 188 ark. (In Ukrainian).

30. TsDAHO Ukrainy. F. 233 Predstavnytstvo Komunistychnoi partii Zakhidnoi Ukrainy v polʹskii sektsii vykonavchoho komitetu Komunistychnoho internatsionalu [Representation of the Communist Party of Western Ukraine in the Polish Section of the Executive Committee of the Communist International]. Op. 1. Spr. 88. Lystivka Zakhidno-Ukrainsʹkoi natsionalʹno-revoliutsiinoi orhanizatsii [Leaflet of the Western Ukrainian National Revolutionary Organization]. 1927 r., 1 ark. (In Ukrainian).

31. Tsentralnyi derzhavnyi istorychnyi arkhiv Ukrainy u m. Lvovi (dali – TsDIA u Lvovi) [Central State Historical Archives of Ukraine in Lviv]. F. 205. Prokuratura apeliatsiinoho sudu, m. Lviv [Prosecutor's Office of the Court of Appeal, Lviv]. Op. 1. Spr. 567. Obizhnyk i zverennia komunistychnoi partii Zakhidnoi Ukrainy pro sviatkuvannia II-kh rokovyn Zhovtnevoi revoliutsii v Polʹshchi (kopiia), 1927 r. [Circular and appeal of the Communist Party of Western Ukraine on the celebration of the 2nd anniversary of the October Revolution in Poland. (Copy)], 6 ark. (In Ukrainian).

32. TsDIA u Lvovi. F. 351. Ukrainsʹke seliansʹko-robitniche sotsialistychne obʺiednannia "Selʹ–Rob", m. Lʹviv [Ukrainian Peasant-Worker Socialist Association "Sel–Rob", Lviv]. Op. 1. Spr. 7. Statystychni dani pro kilʹkistʹ straikiv, mistse i yikh tryvalistʹ u Lʹvivsʹkomu voievodstvi, 1927 r. [Statistical data on the number of strikes, their locations, and duration in the Lviv Voivodeship], 3 ark. (In Ukrainian).

33. TsDIA u m. Lvovi. F. 351. Ukrainsʹke seliansʹko-robitniche sotsialistychne obʺiednannia "Selʹ-Rob", m. Lviv [Ukrainian Peasant-Worker Socialist Association "Sel–Rob", Lviv]. Op. 1. Spr. 99. Vyrizky z statei i zamitok z ukrainsʹkykh, bilorusʹkykh i polʹskykh hazet pro sotsialʹno-ekonomichne stanovyshe Halychyny, 1926–1928 [Clippings from articles and notes from Ukrainian, Belarusian, and Polish newspapers about the socio-economic situation of Galicia], 23 ark. (In Ukrainian).

THEORY AND IMPROVEMENT OF PSYCHOLOGY

THE PSYCHOLOGICAL CHARACTER
OF THE SOCIAL ROLES OF YOUNG AND ELDERLY FAMILY MEMBERS

Yegana Fakhrad Yagublu,
Postgraduate Student, Specialist at the Department of Knowledge Assessment,
(Baku, Azerbaijan)
ORCID ID: 0009-0006-1484-1099
yagubluyegana@gmail.com

Abstract. The article highlights that the current psychological environment of young families is shaped by family roles and mutual relationships regulated through new traditions that arise from the variation between traditionalism and modernity. The role of the elderly in forming the family environment is mostly grounded in national customs, values, conventional interactions and ethnocultural perspectives. In contemporary young families, where the old and the new cultural elements are intertwined and mutual understanding between the generations is anticipated, the psychological atmosphere tends to be favorable. The author underlines that the psychological environment of a family is determined by the conditions created for social development of youth, children and the elderly, positive interpersonal relations within the family, the leadership style of the head of the family, hierarchical connections among members, individual character traits, behavioral norms, the extent to which role expectations are fulfilled and other factors. A favorable psychological atmosphere in a young family depends not only on the elderly but also on the young themselves. In families where young members openly express their inner emotions are able to voice and share their needs and desires, the interpersonal relations and consequently the psychological climate tend to be more harmonious. Likewise, whether a woman or a man, having the intention and ability to reflect on their behavior, thoughts, and the mistakes or correct actions within relationships plays a regulatory role in the social-psychological environment of the family. In such a context, mutual understanding, empathy and compromise emerge within the family, both parties become more reflective, tensions and conflicts decrease. Whether the psychological environment of young families is favorable also depends on whether the family is nuclear or extended. Psychological disruption may occur less frequently in nuclear families compared to extended ones, but this is not always the case. Some extended families may have a more favorable psychological atmosphere than nuclear ones. This implies that the factor regulating the psychological environment of a family does not necessarily stem from the direct presence of elderly individuals, but from the influence they exert.

Key words: psychological environment, family, family subjects, mutual relationships, social-psychological environment.

Introduction. The article examines the theoretical aspects of the role of elderly people in shaping the psychological atmosphere in young families. It explores the philosophical, sociological, socio-psychological, and pedagogical-psychological dimensions of the issue. The areas of influence of the psychological characteristics of elderly individuals on the family environment are analyzed. Socio-cultural factors affecting the formation of the psychological climate in young families are identified. The article also describes the changes in the psychological atmosphere of family life among young people caused by modern globalization. The socio-psychological characteristics of the roles of both young and elderly family members are explained. Additionally, the content of conflicts that negatively affect the psychological atmosphere within the family is revealed.

The socio-psychological aspects of the influence of elderly people on the formation of the psychological atmosphere in young families are studied through an analysis of the attitudes of both young

and elderly family members toward the family's psychological climate, and the results obtained are generalized based on this analysis. The article also outlines ways to regulate the mutual relationships between young and elderly family members with the aim of creating a favorable psychological atmosphere in young families.

In social psychology, the topic of the family is one of the most studied issues. However, depending on the social, political, and economic characteristics of the era, as well as the mindset of the people living during that time, the essence, directions, and scope of this topic change. In each era, it acquires new content and new directions. Currently, the family topic remains at the center of attention in social psychology and other branches of psychology (such as personality psychology, educational psychology, gender psychology, etc.) and is the subject of numerous studies. In recent years, interest in studying the psychological characteristics of family planning, development, and preservation has significantly increased. The reason for this is the rise in divorces caused by the influence of global processes in the world and society on the family institution. One of the main causes of divorces is considered to be the disruption of the psychological climate within the family. For this reason, the issue under consideration is particularly relevant.

Although a young family is a union of two people-a man and a woman who have entered into marriage – they do not live their lives in isolation. The family is influenced both directly and indirectly by other family members, their communication and relationships, as well as by a range of socio-psychological factors. Therefore, especially in the Eastern world, which includes our society, the family is perceived as a social group based on mutual relationships between the man and woman, their parents, siblings, and, in some cases, other close relatives who jointly manage the household. After the birth of a child, the functions of the family become even more complex. Against the backdrop of all these interactions, the psychological climate of the family is formed.

The nature of the family environment largely depends on the relationships between its members-both young and elderly-as well as their values and motivation for activity. On the other hand, in the modern era of globalization, rapid development of science and technology, the emergence of new communication tools, the virtual world, and artificial intelligence, when significant differences arise between generations not only in worldview and thinking style but also in tastes and material aspirations, the study of factors that disrupt or, conversely, normalize the family atmosphere becomes especially relevant.

The family is also a protective and nurturing environment. At different stages of life, each person may need family support for various reasons. From this perspective, the family environment should provide protection not only materially and spiritually but also physically. However, this is not always the case. Sometimes, an undesirable atmosphere develops within families that can become a real threat to its members. For this reason, specialists (Abbasov, 2011, p. 118–120; Alizade, 2015, pp. 201–202) believe that a stable and harmonious lifestyle within the family is one of the most important factors in creating a favorable environment. After all, a strong society is built only by a strong and harmonious family. Therefore, in modern families, it is necessary to find ways to create, maintain, and develop a stable and harmonious atmosphere and promote this in society. However, the psychological atmosphere is not created solely by the young members of the family. Other family members, especially the elderly, also influence it.

Discussion. In psychology, a classification of old age has been developed. In the family context, elderly people usually refer to the parents of the young spouses, as well as (if they are alive) their grandparents. The psychology of elderly people differs from that of the youth, which often makes age-related characteristics the primary cause of disruptions in the family's psychological climate. Following these are differences in character and cultural attitudes. These differences, acting in two directions, can influence the family atmosphere both positively and negatively. On this matter, A.A. Alizade has important thoughts: "In the family space, interpersonal relationships are formed

within psychological boundaries and diverge over time. It is in the light of these relationships that the psychological climate of the family is formed. In the spiritual life of the family, the mother-in-law and father-in-law, as well as close relatives of the bride and groom, play a significant role. They not only affect the relationship between husband and wife but can sometimes even change the fate of the young family" (Alizade, 2015, pp. 210–212).

It should also be noted that old age has its own distinctive psychological characteristics. Unlike young people, elderly individuals no longer make new plans, nor do they strive for career advancement, raising children, or embarking on serious new endeavors. They are more concerned with maintaining their health, ensuring material and spiritual well-being in old age, creating a calm and measured living environment, and deciding with whom and where it would be most comfortable to live.

As D. Whitman notes, starting from around the age of 50, these concerns begin to dominate a person's life. He writes: "It is necessary to monitor the health of the elderly, ensure their safety, minimize risks, and also understand what their needs are, what gives meaning to their lives, and what brings them comfort and joy" (Whitman, 2024, pp. 86–89).

Unfortunately, some young people, after getting married, focus exclusively on their own concerns, showing indifference to the interests and preferences of the elderly, considering their lives to be over. Very often, one of the reasons for the disruption of the psychological climate in the family is the youth's unwillingness to understand, accept, and appreciate the inner world of the elderly. In such cases, both mutual relationships within the family and the distribution of family roles suffer, which in turn disrupts the psychological atmosphere in the family.

The analysis of the scientific sources reviewed during our study of the problem showed that the role of elderly people in forming the psychological environment in a young family encompasses quite broad and complex issues. On one hand, the problem is considered as a small social group; on the other hand, it involves the personality, character, and interpersonal relationships of family members, while also defining the distinctions between the family and other social groups, as well as changes in relationships depending on family types, etc. It was also found that the young family consists of spouses and children, while the older generation includes grandparents, and in some cases great-grandparents, as well as aunts, uncles, and other relatives who may not be married or live with the young family for various reasons (Aliyev, 2010, pp. 42–44).

The article clarifies the theoretical issues concerning the role of elderly people in shaping the psychological environment of young families. It explores the philosophical, sociological, social-psychological, and pedagogical-psychological aspects of the problem. The directions in which the psychological characteristics of elderly people influence the family environment are analyzed. Sociocultural factors affecting the formation of the psychological environment in young families are identified. The changes caused by modern globalization in the psychological environment of young families are discussed. The social-psychological features of the roles of young and elderly family members are explained. The content of conflicts negatively affecting the psychological environment is revealed. The social-psychological aspects of the influence of elderly people on the formation of the psychological environment in young families are studied, including the attitudes of both young and elderly members towards the family's psychological environment, and the results are summarized. Methods for regulating relationships with elderly people during the formation of the psychological environment in young families are demonstrated (Jabbarov, 2016, pp. 30–31).

The main direction of the study on the role of elderly people in shaping the psychological environment of young families is an ethnocultural approach to family traditions, values, and relationships. The research focuses on traditional and modern aspects of family relations, the coexistence of old culture and modernity within these relations, as well as gender issues. However, the role of elderly people in forming the psychological environment of contemporary young families significantly differs from the traditions, customs, and norms that have existed in our national culture for centuries.

The conducted analysis also showed that just as modern youth do not have a positive attitude toward the presence of elderly people in the family, the elderly themselves feel similarly. The main issue here is to find ways to structure relationships with the elders, role behavior, and role expectations even within the nuclear family, so that these relationships have a positive impact on the psychological environment of the young family.

Conclusion. Based on this, we have drawn the following conclusions:

It was established that although the role of elderly people in forming a favorable environment in young families has been studied in various branches of social psychology, different aspects of modern relationships, as well as the state of the problem in nuclear and extended families, have not yet been sufficiently explored. Moreover, research conducted in this field tends to have a national and regional character, as it has been carried out by specialists from different countries.

It has been determined that in the studies, the family is primarily examined as a small real group. In this context, the main focus is on defining intrafamily relationships, issues of socio-psychological climate and management within small groups, as well as identifying signs of sympathy and antipathy among family members. The object of the study is the formation of the role structure in a young family, the distribution of roles between women and men, grandmothers and grandfathers, the influence of elderly people on relationships and the personal development of family members, including family management.

During the research, factors that disrupt a favorable socio-psychological environment in the family were also identified. These are related to both the material-physical and spiritual-psychological spheres: difficult economic conditions of the family, unemployment, living in rented housing, presence of debts, interpersonal conflicts, struggle for leadership in the family between husband and wife, between the younger and older generations, incompatibility of family members' characters, differences in worldview, religious and political beliefs, lack of trust between family members, difficulties in understanding and perceiving one another, external interference in the family, negative influence from the relatives of the husband or wife, mutual alienation in the family over time, different approaches to child-rearing, etc. Among the factors that hinder the development of a healthy family environment, the negative impact of modern information and communication technologies also comes to the forefront. One of the main ways to protect the family environment is to avoid the influence of technological means, which is one of the primary causes of the breakdown of traditional relationships in modern families – both between spouses and between younger and older generations (Aliyeva, 2023, pp. 78–82).

The analysis showed that in the modern world, the role of a favorable environment created within the family in a person's life is determined not only by social, economic, demographic, and other criteria, but also by personal self-protection, self-development, self-identification with the experiences and values of family members and society, and ultimately, by self-realization. The process of personality formation continues within the young family. Elderly family members have a significant influence on this process. Therefore, the conditions created by older people for the personal development of young family members are also considered one of the key factors in establishing a favorable psychological family environment.

It has become clear that the formation of the psychological environment in a young family involves multiple parties: the men and women in the young family, their parents, as well as their children. The family environment is influenced by the woman's relationships not only with her husband and children, but also with the elders. The nature of this influence depends not only on the current situation but also on how well young people are prepared for family life. Although analyses show that the upbringing of girls in families often references national traditions, these views do not dominate in the personal opinions of the girls themselves. They tend to prefer more gender-equal relationships in the families they build and, in some cases, do not take the roles assigned to them seriously. As a result,

tension between young women and the elders in the family becomes inevitable. The assessments made by elderly parents regarding the women in young families have further confirmed this.

The study showed that the degree of favorability of the psychological climate in the family, the spiritual and psychological state of the marriage, and its duration are determined by the mutual efforts of the family members to adapt. This is confirmed by both research in the field of family development and the theories and concepts that have been developed. Thus, as a result of primary and secondary influences on the family, its psychological environment may be disrupted. The primary influences include the adequacy or inadequacy of the spouse in the young family, the level of emotional attachment, differentiation or generalization within the family, self-attribution to the family, strong self-assertion or adaptability. Other influences involve emotional processes occurring within the family nucleus and relationships with the mother and father. When these relationships deteriorate, tension and conflicts gradually increase, identification with negative examples within the family occurs, as well as comparison and low self-evaluation, poor performance of family roles, and so on.

It was found that the main impact of modern globalization on the family environment is its nuclearization. A large number of young families now prefer to live separately from their parents, independently address their needs, and raise their children according to their own preferences.

In families that are more influenced by elderly members, women expressed greater dissatisfaction with the family environment than men. This factor is more prominently observed among young women in extended families. Moreover, men show a greater tendency to reduce tension in the family than women, which is reflected in their more positive approach to situations, avoidance of gossip and petty discussions, not exaggerating minor incidents, etc. These approaches also reveal mutual accusations in the assessment of those who do not fulfill their roles properly within the family. In both nuclear and extended families, most parents tend to show respect to the elderly, while the elderly, in turn, show respect to the younger generation. This also indicates the existence of contradictions in role expectations between the two generations. However, among adolescents in families, there are more individuals who believe that everyone is failing in their roles. Apparently, they do not include themselves in the term "everyone," but instead refer to both their parents and their grandparents (Baker, 2022, pp. 94–96).

Among the proposed options for improving the psychological environment in the family, the most preferred by respondents is the proper fulfillment of responsibilities by each family member. The highest indicator for this factor is among mothers in nuclear families. Grandparents in both family models also agree with this opinion. The second most prioritized factor is the increase in family income and improvement of social conditions. There are also those who would like to change everything in the family, but they are in the minority (Amrahlı, 2023, pp. 72–74).

The study also revealed that although family conflicts are currently the most significant cause of divorce, the root cause of these conflicts lies in the gradually deteriorating psychological atmosphere within the family. The role of older family members in regulating the psychological environment is considerable. It was determined that the contribution of elderly people to the deterioration of the family's psychological environment is manifested in several ways. These include, first and foremost, moral and psychological factors. Another group of factors is social in nature, while a third is linked to the economic situation of the family. Regardless of the reason for their emergence, the nature of these factors – those that disrupt the psychological environment in the family and lead to conflicts – can be seen in two forms:

Intrapersonal factors, which stem from conflicts between personal interests and familial obligations.
Interpersonal factors, which arise between different family members.

Thus, the results show that in the early stages of life, relationships satisfy both parties. Later, the sphere of relationships extends beyond sexual interaction and begins to include other family members. At this stage, everyone in the family must take responsibility for their roles and perform them

adequately. When this does not happen, family roles- and subsequently relationships -begin to blur. When young people start their own families, they often carry over the model of family relationships they observed in their parents. This model, which also includes their own individual structure, is significantly influenced by natural and social environmental factors.

For a deeper study of the problem, it is possible to enhance the positive influence of elderly people on the formation of a positive psychological climate in families by familiarizing them with family systems, identifying factors that shape family psychology, and developing appropriate methodologies based on practical examples created in this field. Alongside this, a positive psychological environment can be formed through the youth's attention to the needs of elderly family members, ensuring their interests, protecting their health and safety, creating activity directions to motivate their personal development, and providing equality and voluntariness in family management.

References:

1. Abbasov, N.A. (2011). Mədəniyyət siyasəti və mədəni irs [Cultural policy and cultural heritage]. Bakı: ADMİU-nun mətbəəsi, 220 s. [In Azerbaijani]
2. Jabbarov, R.V. (2016). Özünügerçəkləşdirmənin psixologiyası [Psychology of self-actualization]. Bakı: Nurlan, 260 s. [In Azerbaijani]
3. Aliyev, R.I. (2010). Şəxsiyyət psixologiyası [Personality psychology]. Bakı: ADPU-nun mətbəəsi, 144 s. [In Azerbaijani]
4. Aliyeva, K.R. (2023). Şəxsiyyətn formalaşmasında emosional intellektin rolu [The role of emotional intelligence in the formation of personality]. Bakı: Şərq-Qərb, 248 s. [In Azerbaijani]
5. Alizadeh, A.E. (2015). Qadın psixologiyası [Women's psychology]. Bakı: Təhsil, 414 s. [In Azerbaijani]
6. Amrahli, L.Sh. (2023). Psixokorreksiya və sosial terapiya [Psychocorrection and social therapy]. Bakı: Müəllim, 446 s. [In Azerbaijani]
7. Baker, K. (2022). Murray Bowen's Family Systems Theory. 496 s. [In English].
8. Whitman, D. (2024). The Sekonda Fifty. New York: Norton Company, 310 p. [In English].

THEORY AND PERSPECTIVES OF PHILOLOGY

THE ROLE OF THE ART OF TRANSLATION IN THE DEVELOPMENT OF MEDICINE AND ASTRONOMY IN THE MULTICULTURAL ABBASID SOCIETY

Jamila Damırova Vagıf,
PhD, Head of the Department of Doctoral Studies and Scientific Progress, National Museum
of Azerbaijani Literature named after Nizami Ganjavi
of Azerbaijan National Academy of Sciences (Baku, Azerbaijan)
ORCID ID: 0009-0003-7502-4293
jamiladamirova@yahoo.com

Abstract. The main aim of the article **is** to explore the impact of the expanding art of translation in the multicultural Abbasid society on the development of medicine and astronomy, and to examine the role of non-Arabs alongside Arabs in this field. Arab-Islamic culture and literature are not only the products of the Arab people, but also the intellectual and spiritual progress of many peoples. Especially after the Abbasids came to power, the role of non-Arab (Ajam) peoples in this culture increased even more. Also, the strengthening of the translation movement gave a powerful impetus to the development of science, Greek philosophical thought and Indo-Iranian thought penetrated into the depths of the Islamic religion. Their activity is reflected in the work of both Christian and Muslim authors.

The article examines the multicultural society that arose in the Arab Caliphate during the Abbasid period, and also examines the role of Christian writers, scholars, and translators. One of the main factors driving the translation movement was society's need for science. Translators did not just translate, but studied, analyzed, interpreted what they translated, and then wrote their own works. Along with translated works, they also had several original works. Another reason why the translation movement was so widespread was the diversity of the ethnic composition of society. Thus, the cultural life in which the Persians, Turks, Greeks and Syrians, Jews and Copts play a role along with the Arabs inevitably creates the need to learn the cultural heritage of these peoples. This can be explained by the fact that the Abbasid caliphs were loyal to different cultures than their Umayyad predecessors.

Key words: Intercultural dialogue, ethnic diversity, translation movement, Arabic literature, Abbasids.

Introduction. The ethnic diversity, the combination of different religions, characteristic of the Abbasid society, results in the creation of a unique culture. This culture is primarily accompanied by the emergence of a strong translation movement. Especially the translated works from Greek, ancient Pahlavi and Syriac languages are increasing. Many works in the fields of astronomy, medicine, and logic are translated into Arabic. The influence of translated literature on Arabic literary works and Arabic poetry can be observed. Over time, the Arabs who benefited from these marriages created their own original works in philosophy, medicine, astronomy, mathematics and other fields. Greek words are used in scientific literature, Indian, Persian and Turkish words are used in everyday language. Thanks to the Greeks, the Arabs got acquainted with philosophy, logic, astronomy, chemistry and developed these sciences. Translations from Persian and ancient Sanskrit language introduce Arabs to the history and culture of neighboring nations, as well as ancient legends. Familiarity with Buddhism, Judaism, Christianity, Manichaeism, Madhhabism and other religious confessions strengthens the tendency to interpret controversial issues within Islam, and people with different ways of thinking form the basis of different sects and sects in Islam. During this period, works related to occult sciences such as astrology, alchemy, algebra, geometry, astronomy, music theory, Aristotelian philosophy i.e. metaphysics, ethics and logic,

physics, zoology, botany, medicine, pharmacology and veterinary medicine were translated into Arabic.

Main part. The role of non-Arabs in the development of Arab culture was undeniable. It can be seen that the translators who made great contributions to the strengthening of relations between peoples also represent foreigners.

Astrology was one of the fields of science that the Arabs were most interested in. The Arabs, who were aware of علم النجوم – (ilm al-nujum – astronomy) from the time of Jahiliyyah, began to benefit from the success of neighboring nations in this field during the Abbasid period. So, they attract non-Muslim and non-Arab scholars to Baghdad. Naubakht (نوبخت) (d. 777) – originally from Persia – was the court astrologer of the Arab caliphs. He was in charge of Caliph al-Mansur's powerful group of astrologers. After his death, his son Abu Sahl ibn Naubakht (أبو سهل بن نوبخت) (d. 786), and after Abu Sahl's death his son al-Fadl ibn Naubakht (فضل بن نوبخت) (d. 815) worked as court astrologers. This task also involved the translation and distribution of works on astrology. In general, the Naubakht dynasty controlled astrology in the court of the six Abbasid Caliphs. Musa from this generation is known as the author of a number of works, he is called the first prominent astrologer of the Arabs (Holden, 2006, p. 104). The Arabs attached great importance to astrology, which can be seen in the caliphs consulting astrologers before military campaigns. Caliph al-Mutasim Billah consults astrologers before marching on the citadel of Ammuriah. Astrologers say that this campaign will be unsuccessful for the caliph. But the caliph ignored them and attacked Ammuria and conquered the rest. This event shows that in the 9th century occult sciences were not given much importance.

Once when Caliph Mahdi was going on a journey, one of his wives sent a message to the astrologer Theophil: "If you provoke the Caliph to go on this tiring journey, may God kill you." Astrologer Theophil replied to that lady: "I will die soon, but it will not be because of your curse, but because of God's writing." It won't be long after my death that ashes will fall on your head." 20 days after this writing, the astrologer dies, followed by Caliph al-Mahdi (Holden, 2006, p. 105).

Another astrologer, Abu Mashar Ja'far ibn Muhammad ibn Omar al-Balkhi (ابو معشر جافر بن محمد بن عمر البلخي) was originally from Persia. It is reported that he wrote about 50 works on astrology. Many works authored by Abu Mashar have been translated from Arabic into Greek (Kahil, 2007, p. 120].

Thus, the strengthening of intercultural dialogue results in the creation of translations into languages other than Arabic, as well as translations into Arabic. It is thanks to the Arabs that the samples of the ancient Greek and Roman culture are saved from being lost. Arabs pass the examples of this culture through the filter of Islamic thought and contribute to humanity again in a more perfect and enriched way.

Greek influence was strong in Damascus – the center of the caliphate during the Umayyad period. With the coming to power of the Abbasids, greater demographic changes began. A multicultural society was forming in Baghdad. Along with Arabs, Persians, Christians and Jews lived here. The Arabs themselves did not have a unified social influence. In addition to the Bedouin-rooted population that joined the settlement, there was also a sufficient number of sedentary people from cities such as Mecca, Medina, Hira, Taif, and Yemen.

Although Islam condemns "asabiyyah" (عصبية) – the attachment of an Arab to his tribe, tribal ties were still strong during both the Umayyad and Abbasid periods. The composition of the tribes also changed. The mawalis who were under the protection of the tribe sometimes even became real tribal fanatics, they were sincerely attached to the tribe of which they were the mawali.

After the initial Arab conquests in Syria, Palestine, and Egypt, the move of Arab rulers and tribesmen into Greek-speaking areas made translation from Greek into Arabic inevitable both in government circles and in everyday lifethroughout the Umayyad period. Necessity dictated that, for reasons of continuity, the early Umayyads keep both the Greek-speaking functionaries and the Greek language in their imperial administration in Damascus. It was only during the reign of 'Abd-al-Malik

or his son, Hisham (r. 685–705–43 respectively), as Ibn- an-Nadīm mentions [F 242.25–30], that the administrative apparatus (dīwān) was translated into Arabic by some of the Umayyad bureaucrats, among whom Sargğūn ibn-Manṣūr ar- Rūmī, and his son, Manṣūr, are mentioned. Also related to the needs of the ruling elite in Umayyad times was the translation, sponsored by Hišām's secretary Sālim Abū- l-'Alā', of the Greek mirror for princes literature in the form of correspondence between Aristotle and Alexander the Great (Gutas, 1998, p. 22). In fact, multilingualism prevailed in Syria and Egypt, as well as in nearby areas, and some correspondence was carried out in two languages. The population knew both Arabic and Greek well. If we add the Syriac language here, we can see how rich the language landscape is.

The policies of the early 'Abbāsid caliphs, and especially of al-Manṣūr (r. 754–75) and his son al-Mahdī (r. 775–85), are of paramount importance in the search for the origins of the Graeco-Arabic translation movement.

Al-Masudi reports that, al-Mansur was the first caliph to have books translated from foreign languages into Arabic, among them Kalīla wa-Dimna and Sindhind. There were also translated for him books by Aristotle on logic and other subjects, the Almagest by Ptolemy, the Arithmetic the book by Euclid [on geometry], and other ancient books from classical Greek, Byzantine Greek, Pahlavi [Middle Persian], Neopersian, and Syriac. These [translated books] were published among the people, who examined them and devoted themselves to knowing them (Gutas, 1998, p. 30–31). The Abbasid caliphs, who supported translation, also had their own political activities. For example, astrology "confirmed" the rightful authority to their authority and presented it as a divine decree. Medicine, it is known, was related to their health. Geometry was needed by the caliphs as a necessary science in the construction of architectural monuments. Alchemy still got gold lovers thinking. Geography was needed to hold the newly conquered territories. Philosophy has diverted people's interests from their powerful works to lengthy debates around unanswered questions.

Many sciences, especially medicine, are developing in Baghdad. Representatives of other nations played a major role in the development of medicine. Galen (131–201) had a great influence on Arabic medicine. According to Galen, medicine should have a philosophical capacity, and every doctor should also be a philosopher. His theory is enthusiastically accepted in the Muslim world.

Ibn Abi Usaybiyya (ابن أبي أصيبعة d. ١٢٧٠) devoted a separate chapter to Syrian doctors working during the Abbasid period in his work كتاب عيون الأنباء في طبقات الأطباء(A Literary History of Medicine: The ʿUyūn al-anbāʾ fī ṭabaqāt al-aṭibbāʾ of Ibn Abī Uṣaybiʿah) dedicated to medicine. One of them was George ibn Gabriel (Georgius) (جورجيوس بن جبرايل), the court physician of Caliph al-Mansur.

The Caliph appreciated George as a doctor and gave him gifts. Al-Mansur was very interested in translating Greek books into Arabic. He involves George in this work. Ibn Abi Usaybiyya shows that in the 148th year of the Hijrah, the caliph fell ill and suffered from stomach problems. No matter how hard the doctors tried, they could not cure him. His condition is getting worse day by day. He gathers the doctors and asks if there is a good doctor in another city. They tell him that such a doctor is George. At this time, George was practicing medicine in Jundishapur. George, who came to the Caliph's palace, addressed Caliph sometimes in Persian and sometimes in Arabic. The caliph is impressed by his learning. George, who completely cured the Caliph, gained great prestige in the palace (Ibn Usaybiyya, 1996, p. 140). An interesting aspect of George's story is that Caliph invited him to Islam:

يا جورجيوس اتق الله واسلم وأنا أضمن لك الجنة

"Oh George, fear God and convert to Islam, and I guarantee you heaven."

George says that whether it is heaven or hell, I want to stay in the religion of my ancestors. Then he continues and says that while healing you, I followed the path of Jesus and learned medicine from him (Ibn Usaybiyya, 1996, p. 140–141).

George's works on medicine in Syriac were later translated into Arabic by Hunayn ibn Ishaq.

One of the Syrian doctors and scientists is Bakhtyashu ibn George (بختيشوع). The meaning of the name بختيشوع means Abdul-Masih (عبد المسيح). He was the son of George ibn Gabriel. Like his father, he also represented the Jundishapur medical school. He was the doctor of Harun al-Rashid (حارون الرشيد). The next doctor of the family was Jabrail ibn Bakhtyashu ibn George. Ibn Abi Usaybiyya shows that when Jafar al-Barmaki fell ill, Harun al-Rashid ordered Bakhtyashu to heal him. Bakhtyashu says, "My son Jabrail can do this job well" (Ibn Usaybiyya, 1996, p. 143).

Both Arabs and Persians believed in a good doctor, regardless of their religion or ethnicity, and the superiority in this field belonged to the Syrian Christians. However, we also see that court life is not easy for doctors. When Harun al-Rashid fell ill, another Christian doctor, a bishop, informed the caliph that Gabriel had not treated him properly, and the caliph was enraged and sentenced Gabriel to death. However, the courtier Fadl ibn Rabi (فضل بن ربيع) was in no hurry to carry out the order. Soon, Harun al-Rashid, who was treated by the bishop, dies. After that, Jabrail becomes Amin's court physician (Ibn Usaybiyya, 1996, p. 144).

George ibn Gabriel's generation achieved great success in the field of medicine. They did not spare their help from poor and destitute people. Caliphs rewarded them generously. During the era of the reign of Harun Al-Rashid, their monthly salary was 50,000 dirhams. In addition, the caliph gave a large monetary reward to his doctor on the Christian Easter (Al Azhari, 2022).

Abu Zayd Hunayn bin Ishaq al Ibadi ranks as the finest medical and scientific mind of the early Abbasid era. Born in 809 to an apothecary in Al Hirah, Hunayn went to Bagdad to study medecine as a young man. There he enrolled in the earliest known private medical school in Islam under the direction of Yuhanna bin Masawayh. After mastering the available Greek medical texts, Hunayn undertook a program of private translation of these works into Arabic. At the same time, Abbasid caliphs, in particular Al-Mamun initiated a policy of rendering Greek classics on science, engineering and medicine into Arabic in order to make to make them available to a wider audience. When word of Hunayn's personal efforts reached Al-Mamun in 830, the physician was placed in charge of the Bayt al Hikmah, the Abbasid supported instituion for translation and promotion and dissemination of classical writings (Tschanz, 2003, p. 39). Hunayn quickly established himself as a reliable translator. He traveled around Syria and Byzantine territories, collecting manuscripts of medical works, and translating the best and most authentic examples into Arabic. Hunayn's translations were precisebut not overly literal. The quality of these translations was such that Hunayn was paid for them by their weight in gold. Within fifty years Hunayn and his students completed the monumental task of rendering in Arabic and Syriac all of the most important Greek medical texts written over a millennium (Tschanz, 2003, p. 39). His "Al-masail fi at-Tibb" (مسائل في الطب) – Introduction to the healing arts – quickly gained fame as a book on medicine in the Arab-Islamic world. In addition, he writes up to ten works in the field of anatomy, ophthalmology, psychology. Like any genius, what he knew could sometimes turn against humanity. A ift developed between al-Mutawakkil and Hunayn when the caliph asked Hunayn to make poison to kill one of his enemies, and Hunayn refused. The caliph grew angry and had Hunayn thrown in prison for a year. After serving his sentence, Hunayn told the caliph, "I have skill only in what is beneficial, and have studied nothing else." Hunayn was released (Stonstreet, Sunshine, 2021).

As it's mentioned, Hunayn ibn Ishaq also wrote a number of original works. One such work is his work أدب الفلاسفة (Adabu-l-falasifah – Literature of the Philosophers). In this work dedicated to Greek philosophy, it is noticeable that he gives very little space to Plato. Another work is devoted to the interpretation of the Hippocratic Oath (Tschanz, 2003).

Hunain is not satisfied with the translation of works of Greek philosophers only. He also writes works about those philosophers themselves and the world of ideas. One of such works is his work "A short book about the elements found in the book of Gale" (كتاب مختصر وجيز في الاسطقسات استخرج من كتاب جالينوس) (Galen, 1986) which he dedicated to the ideas of Aristotle and Gale about the elements. Here,

giving the word element as أسطقسّ (ustuguss) rather than as عنصر (unsur) indicates the individual style shown by Hunain in the translation. In the work, he makes a comparative analysis of Aristotle's and Galen's considerations about the elements, referring to other Greek philosophers as appropriate. It focuses on the four main elements – earth, water, air and fire. It tries to determine the place of these elements in existence.

Among Hunayn ibn Ishaq's translations, we should especially mention his translation of the work of the Greek author Theomnestus Nicopolitanus on veterinary medicine. The work was translated under the title كتاب البيطرة (Kitabu-l-baytara – Book on Veterinary Medicine). Robert Hoyland credits this translation with great importance for the study of both Greek and Arabic veterinary science. According to Hunayn, this work later played a major role in the development of veterinary medicine in Islamic countries, as well as stimulated the development of the field of veterinary medicine related to horses as a separate science (Hoyland, Kennedy, 2004, pp. 161–162).

Thus, translation work gives a great impetus to the development of various sciences. On the other hand, it brings Christian and Muslim scientists closer to each other and creates a foundation for the ethnic-religious diversity of the scientific environment. It is no coincidence that a number of prominent doctors, veterinarians, astrologers and philosophers came out of the translators. Gusta ibn Luqa (٣١٩–٠٢٨) (قصطوس بن لوقا الرومي) who played a major role in the art of Arabic translation was of Greek origin. Christian Gusta ibn Luga was engaged in translating Greek works into Arabic throughout his life. Qusta ibn Luqa belonged to the Christian sect. He was born in 820 in Baalbek, Damascus. Gusta translated works in the fields of astronomy, medicine, algebra, and philosophy into Arabic, as well as wrote original works in these fields. As Gustan's works spread throughout the Muslim East, he gained fame as a scholar. He was fluent in Greek and Syriac. Gusta, who lives in Baghdad, attracts the attention of many people. Gusta's connections were very important for his scientific activity, as the scientists of this period were financially supported only by the help of the seers (Kheirandish, 2007, p. 948). It is said that Qusta ibn Lugan surpassed even Hunayn ibn Ishaq in the field of translation.

It is noted that Gustan has up to 60 original works. Most of these works are related to medicine, algebra, philosophy and astronomy. Among Gusta's works on medicine, his "Book on Insomnia" (كتاب في السهى – Kitab fi-s-suha) occupies an important place. Qusta ibn Luqa associates sleep with moisture of the brain, and sleeplessness with drying of the brain (Kahil, 2007, p.313]. Another of his works is called "Medical Regime for the Pilgrims to Mecca: رسالة في تدبير سفر الحج – The Risala Fi Tadbir Safar Al-Hajj". This work discusses in a concise and logical manner the best regime for the traveller, the diseases which may befall him and their treatment. It is an eloquent witness to the author's profound knowledge of the works of ancient physicians, especially those of the Byzantine physician Paul of Aegina. After an exposition of the best regimen for the traveller, Qustā mentions the different diseases which may befall him, namely, fatigue, earache, diseases of the bronchial tubes and those caused by dust. Recommended remedies are simple and compound drugs, bathing and massage. Qustā then discusses criteria to determine the quality of water, means to improve bad water, and means to quench one's thirst. In the next chapters Qustā treats the prophylaxis against vermin and the treatment of stings and bites caused by them. After a lucid exposition of spontaneous generation, Qustā concludes his treatise by discussing the occurrence of the Dracunculus medinensis and its treatment (Hogendijk, 2008). The scientific works of Qustā include several astronomical compositions, which cover both the theoretical and the practical aspects of astronomy:

1. كتاب العمل بالكرة الفلكية في النجوم Kitāb fī al-ʿamal bi-ʾl–kura al-nujūmiyya (On the use of the celestial globe)

2. هيأة الافلاك Hayʾat al-aflāk (On the configuration of celestial bodies)

3. كتاب المدخل إلى علم النجوم Kitāb al-Madkhal ilā ʿilm al-nujūm (Introduction to the science of astronomy – astrology)

Quṣta composed في المدخل إلى علم الهندسة ‏the Introduction to Geometry (Kitāb fī l-madkhal ilā ilm al-handasa) for Ali ibn Yahya, mawali of the Caliph (Al-Mutawakkil). The Introduction consists of material that he had collected from Greek sources, some of which may be lost today. The Introduction to Geometry is the probable place where some of this Greek material entered the Arabic tradition (Galen, 1986, p. 165).

Conclusion. All this indicates the ethnic, religious and cultural diversity of the Abbasid society. The inhabitants of Baghdad, the center of the caliphate, who spoke Arabic, Persian and Aramaic, mingled with each other. In a (multilingual) society like Babylon, Arabic was the main medium of communication. But foreign words, foreign word formations and phonetic elements were entering the Arabic language. It seems that Arab culture experienced its golden age in the 8th-10th centuries as a result of this nobility and multicultural system. This diversity was more evident in the Christian territories conquered by the Arabs – Andalusia and Sicily.

References:

1. Holden H.J. (2006). A History of Horoscopic astrology, from the Babylonian period to the modern age, second edition, American Association of Astrology, Temple. 380 p.
2. Kahil O. (2007). Qusta ibn Luga on sleeplessness. Biographical Encyclopedia of Astronomers, Springer New York. 1341p, Journal of Semitic Studies, Volume XLIII, Issue 2, Autumn 1998, Pp. 311–326 https://doi.org/10.1093/jss/XLIII.2.311
3. Gutas D. (1998). Greek Thought Arabic Culture. The Graeco-Arabic Translation Movement in Baghdad and Early 'Abbasaid Society (2nd-4th/5th-10th c.) Dimitri Gutas Greek Thought, Arabic Culture The Graeco Arabic Translation Movement In Baghdad And Early ' Abbasaid Society (2nd 4th 5th 10th C.) (Arabic Thought & Culture) Routledge (1998) : Free Download, Borrow, and Streaming: Internet Archive
4. ابن أبى أصيبعة, Ibn Usaybiyya. (1996), The best accounts of the classes of physicians, The ʿUyūn al-anbāʾ fī ṭabaqāt al-aṭibbāʾ, كتاب عيون الأنباء فى طبقات الأطباء, دار المعارف, 424 p. [in Arabic]
5. Al Azhari. O. (2022). أسامة الأزهري: فرعون لم يكن مصريا أصيلا(elbalad.news)
6. Tschanz. D. (2003). (50) Hunayn bin Ishaq: The Great Translator | David Tschanz, Academia.edu
7. Stonstreet. J. Sunshine G. (2021). A Christian in a Hostile Culture: The Story of Hunayn Ibn Ishaq, Breakpoint
8. Bos. G. (1992). Amazon.com: Qusta Ibn Luqa's Medical Regime for the Pilgrims to Mecca: The Risala Fi Tadbir Safar Al-Hajj (Islamic Philosophy, Theology, & Science, 11) (English, Arabic and Arabic Edition): 9789004095410: Bos, Gerrit: Books
9. Hoyland R.G. Kennedy P.F. (2004). Islamic Reflections. Arabic Musings: Studies in Honour of Alan Jones. 300 p.
10. Hogendijk J.P. (2008). The Introduction to Geometry by Qusta ibn Luqa, Suhayl: journal for the history or the exact and natural sciences in Islamic Civilisation, ISSN 1576-9372, Nº. pp. 163–222.
11. Kheirandish. E. (2007). Qusṭā ibn Lūqā al-Baʿlabakkī, The Biographical Encyclopedia of Astronomers, Springer Reference. New York: Springer. Pp. 948–949, https://link.springer.com/referenceworkentry/ 10.1007/978-0-387-30400-7_1138
12. جالينوس, (1986), Galen's Commentary of the Hippocratic Epidemics, Kitāb Jālīnūs fī al-istiqsāt ʿalā raʾy Ibbuqrāṭ, كتاب جالينوس في الأسطقسات على رأي أبقراط, الهيئة المصرية العامة للكتاب – القاهرة, 152 p. [in Arabic]