

FEATURES OF STRATEGIC PLANNING OF STATE POLICY REGARDING PUBLIC-PRIVATE PARTNERSHIP IN THE SPACE INDUSTRY OF UKRAINE

Karpenko S.R.

Annotation. *The article made a comprehensive analysis of the state policy on public-private partnership in the space sector of Ukraine and developed appropriate proposals for the relevant applicable regulations. The methodological basis of the article was the comparative method, which allowed to reveal of the most effective approaches to the characteristics of the state policy with a public-private partnership in the space industry of Ukraine, as well as system-structural, structural and functional methods, the method of climbing from abstract to specific. The result of the study of various aspects of the chosen topic was the formulation of the definition of state policy on public-private partnership in the space sector of Ukraine, which is proposed to be perceived as the activity of public administration entities, which is a system of goals, functions, functions and principles, formed and assigned to the legislative level which are adhered to by these subjects when solving the tasks of promoting the further development of the institution of public-private partnership in the space sector of Ukraine, and their practical work to fulfil the task of achieving certain goals. The practical consequences of the performed study are that the means of state policy on public-private partnership in the space sector of Ukraine becomes a very important tool for the implementation of state policy. The weight of the conclusions made in the study of the state with a public-private partnership in the space branch of Ukraine is a means by which an orderly public society in the form of developed public activity must be correlated objectively conditioned by socio-political needs and national interests. Ensuring the sustainable development of public-private partnership in the space sector and its existing spiritual and material opportunities, subjective wishes and goals of the rule of social strata with those real historical conditions, which determine the main tasks and directions of activity of the state with the problems of ensuring this goal. It is concluded that the implementation of this policy of the state is entrusted to the system of executive bodies. It is proved that solving the problem of differentiation of the competence of the executive authorities and the development of appropriate proposals is impossible without improving the administrative and legal status of data of the bodies.*

Key words: *administrative regulation, state regulation, public-private partnership, space industry, space activity, state policy, strategic planning, participant of public-private partnership/*

1. Formulation of the problem.

The state policy regarding public-private partnership in the space industry of Ukraine is a key instrument for the implementation of the state policy in the field of outer space - the functioning of legally authorized entities that are entrusted with the tasks of conducting state policy in this area. That is why the content of the state policy regarding public-private partnership in the space industry of Ukraine is determined by the tasks of the state policy in the space industry, and represents a system of formulated and legally established goals, tasks, functions and interests that are guided by public authorities in the process of their public management of the sphere outer space, as well as their practical activities to implement state policy and achieve the planned result. In other words, the policy of the state regarding public-private partnership in the space industry of Ukraine is the activity of the state in the person of its authorized subjects, which concerns the space industry. The content of the state policy regarding public-private partnership in the space industry of Ukraine is determined by the direction of the state policy, which

at any time remains an important element of the gradual development of statehood. Responding to the main challenges of today, each state determines the direction of its development, implementing the tasks of state policy. At the same time, the sphere of outer space remains one of the areas of public management due to the multi-vector nature and active applicability of the results of space activities. The significant role of space activity in ensuring the security of the state and the development of the economic system as a whole has already been repeatedly noted.

2. Analysis of recent research and publications.

An effective state policy regarding public-private partnership in the space industry of Ukraine is a fairly important prerequisite for successfully solving the problems of public administration. This fact is quite convincingly evidenced by a fairly significant number of publications by domestic scientists. Thus, the general problems of administrative and legal regulation were studied in the works of V.B. Averyanova, N.O. Armash, O.M. Bandurky, D.M. Bahrakha, V.M. Bevzenka, Yu.P. Bytyaka, S.M. Bratusya, I.A. Galagana, V.V. Galunko, I.P. Holosnichenko, E.V. Dodina, S.V. Kivalova, T.O. Kolomoets, V.K. Kolpakova, A.T. Komzyuka, D.M. Lukyantsa, V.P. Petkova, D.V. Pryimachenka, S.H. Stetsenko, Yu.S. Shemshuchenko, O.M. Yakub and many other scientists. Directly problematic aspects of the implementation of tasks of administrative and legal regulation of public-private partnership in the space industry of Ukraine were considered in the works of Yu.S. Alekseev, O.V. Beglo, V.P. Horbulin, O.V. Degtyarev, S.M. Konyukhov, S.P. Koshova, N.R. Malysheva, A.A. Manzhula, S.I. Moskalenko, V.V. Semenyaka, L.V. Soroka, Yu.S. Shemshuchenko and others. Although the relevance of the problems related to the implementation of the tasks of strategic planning of the state policy regarding public-private partnership in the space industry of Ukraine does not decrease.

3. Formation of goals.

The purpose of the article is to generalize developed scientific approaches to determining the prospects of strategic planning of state policy regarding public-private partnership in the space industry of Ukraine and to provide proposals for improving the administrative and legal regulation of the relevant group of public relations.

4. Presenting main material.

State policy, as a sufficiently broad concept in its content, can belong to the subject of research of various sciences, including administrative and legal science. It seems almost impossible to talk about the functioning of public-private partnership entities in the space industry of Ukraine without a thorough analysis of the concept and main components of state policy, which confirms the importance of analyzing the institution of state policy regarding public-private partnership in the space industry of Ukraine during the study of public management problems in this field. State policy is an important component of the life and activities of the entire society, it forms the appropriate system and mechanisms of socially oriented public administration, as it is aimed at improving the quality of life of ordinary citizens and guaranteeing social stability in the country. A thorough analysis of the definitions of state policy in domestic scientific literature proves the presence of a wide range of understanding of state policy and options for its interpretation. Meanwhile, the state policy always fulfils the role of a program, with the help of which in a state-ordered society, in the form of a detailed algorithm of state activity, objectively determined social needs and national interests must be correlated to ensure sustainable social development [1, 173]. State policy for a certain period through the adoption of normative legal acts establishes the state's will regarding the implementation of public power both in certain spheres of life in society and in society as a whole [2, p. 181].

Therefore, ensuring an effective public-private partnership in the space industry of Ukraine is a very important condition for properly solving the tasks of the state policy in the field of space activities. However, the relevance of problems related to the implementation of the task of developing the state policy regarding public-private partnership in the space industry of Ukraine does not decrease

significantly. Moreover, new and new obstacles in the direction of reforming the existing system of public management in the field of space activities are still unsurmountable and are constantly appearing. It is about the still ineffective public administration and the lack of coordination of the functioning of public-private partnership entities in the space industry of Ukraine and the presence of outdated legislation in general, which does not correspond at all to European acts or the current level of development of social relations in Ukraine. In our opinion, there are still unreasonably complicated procedures for state registration and protection of rights to the results of space activities, which contain corruption and discriminatory risks due to their non-publicity and non-transparency, as well as legal uncertainty regarding the subordination of disputes in the field of space activities. There is also a separation of academic science from the needs of business due to the lack of a modern infrastructure for the process of commercialization of achievements in the space industry and their introduction into production, as well as the lack of respect in society for the results of space activities and transparent and accessible procedures for acquiring and protecting rights to the results of space activities [3, p. 116]. In addition, the urgent problems of public management of rights to the results of space activities, created at the expense of the state budget and centralized national funds, remain unsettled. There is also the problem of legislative regulation of the problems of protecting the interests of subjects of public-private partnership in the space industry of Ukraine. In particular, the Ukrainian legislator pays considerable attention only to the procedure of granting rights but does not think much about both the fate of the protected result of space activity in its further life cycle and the consequences of its implementation. And finally, today in Ukraine there is an actual problem in many areas, especially concerning computer programs, in which there are still incentives to consume products manufactured in violation of the rights of subjects of public-private partnerships in the space industry of Ukraine. One of the main tasks of Ukraine at the current stage of its development remains the implementation of the norms of European law regarding the public-private partnership in the space industry of Ukraine, as well as international treaties, the consent of which was given by the Parliament of Ukraine to be binding.

In addition, the lack of a sufficiently effective state policy regarding public-private partnership in the space industry is explained, first of all, by the lack of a developed national strategy for the development of the sphere of space activity in Ukraine - a long-term plan, following which the tasks of public management of the sphere of space activity should be implemented. There is also an urgent need to directly enshrine this strategy in legislation, since today there is no single normative legal act that would generalize and define the state's policy regarding public-private partnership in the space industry of Ukraine. There is also a lack of a single theoretical approach to this problem. Ukraine urgently needs a document of a fundamental nature, which would establish the main directions of the state's activities in the development of space activities. But in any case, the more important elements of each of the directions of state policy are its goal (defined based on the objective circumstances of the development of the world community as a whole or one of its spheres of activity), tasks (which must be solved to solve the set tasks) and principles (fundamental ideas for the implementation of state policy, which determine the essential provisions based on which the entire system of public administration in a particular field is built).

The state's policy regarding public-private partnership in the space industry of Ukraine should be based on certain principles, the clarification of which is of very important theoretical and practical importance, as it allows to determine its direction, patterns of development and functioning. The principles of state policy regarding public-private partnership in the space industry of Ukraine are the basic provisions on which the activities of its subjects are based. They reflect the specifics of the sphere of space activity and determine the prospects for the development and improvement of legislation on space activity. At the same time, we consider the statement about the existence of two groups of these principles to be fully justified [4, p. 222], the first of which are basic (or general) principles characterized by common, generally recognized provisions, and the effect of which extends to the entire state policy regarding state regulation in any area of public life. These include the principles of the rule of law, respect for human and citizen rights and freedoms, continuity, legality, ensuring the unity of state policy, openness, transparency and responsibility. The second group of state policy principles regarding public-private partnership in the space industry of Ukraine consists of special principles that are characterized by a narrower field of application and are determined by the specifics of such a specific sphere of state administration as the sphere of space activity. Taking into account the peculiarities of the field of space activity, a group of special principles should be defined.

The first special principle of state policy in this field should be the recognition of space activity and its results as the highest socio-economic value of Ukraine. And indeed, the main driving force of economic and social development in the world and, in particular, in Ukraine today is precisely the innovative potential of the country. This statement is also confirmed by global trends: firstly, the most important component of national public wealth is the product of space activity; secondly, economic activity increasingly begins to turn into a process of continuous innovative innovations [5, p. 8]; thirdly, the competitiveness of business entities, the survival of entire industries and even states directly depend on the ability to perceive and produce the result of space activity; fourthly, the phenomenon of the result of space activity, i.e. the result of the discovery and exploration of outer space with the help of space technologies, acquires important importance in the matter of overcoming the crisis and reproducing the economy.

The next special principle should be the state's guarantee of the creation of the most favourable conditions for the effective functioning of the public-private partnership in the space industry of Ukraine. The experience of countries with developed economies proves that activities in the space sphere, creativity and innovation of technical solutions in it in most cases determine the tactics and strategy of rapid and complex development of the state, its high technical level of production, integration of scientific and technological components of industry. The organization of an effective law enforcement system during the creation and use of various results of space activity directly affects the development of national scientific and technological and scientific and technical branches of state life, raising the level of their investment image, as well as the introduction of a favourable innovation climate [6, p. 4]. That is why the permanent preservation, strengthening and development of the space potential of our state is considered one of the priority interests of Ukraine.

Another important special principle of the state's policy regarding public-private partnership in the space industry of Ukraine should be the state's guarantee of creating conditions for a constant increase in the level of scientific, educational and cultural development of the space sphere, as well as constant popularization of knowledge about space. The problem of spreading knowledge about outer space is relevant for Ukraine, which is related to the existing situation regarding the protection of outer space and problems that sometimes arise as a result of the still insufficient level of knowledge and the low level of culture in this area in society [7, p. 181].

A rather important special principle of state policy regarding public-private partnership in the space industry of Ukraine is the principle of a fair balancing of private and public interests in the sphere of public-private partnership. Legal means required to ensure the proper functioning of the public-private partnership in the space industry of Ukraine in the context of the development of an innovative economy should be designed, taking into account the need for mandatory coordination of the diverse interests of representatives of this industry, prevention and neutralization of possible conflicts between them [8, p. 32-33].

In addition, the principles of preventing the use of the results of space activities without the consent of the rights holders, except for cases specified by legislation, as well as the principle of economic justification for establishing fees for the provision of services in the field of public-private partnership should become special principles of the state policy regarding public-private partnership in the space industry of Ukraine. partnerships in the space industry and prevention of unjustified detention and complication of procedures for protecting the results of space activities. With the help of the system of specified basic (general) and special principles, the approach to the state policy regarding public-private partnership in the space industry of Ukraine should be formed.

Studying the problems of state policy regarding public-private partnership in the space industry of Ukraine, it should be noted that one of the key elements of the development of the entire sphere of space activity is the definition of its purpose. Therefore, based on these conceptual theoretical foundations of understanding the essence of state policy, the goal of state policy regarding public-private partnership in the space industry of Ukraine must be defined as the creation of appropriate conditions for achieving the highest possible level of development of the space sphere by ensuring the functioning of effective mechanisms for the protection and protection of the rights of sub-objects of state policy regarding public-private partnership, as well as stimulation of space activities of some members of society. At the same time, it should be emphasized that the goal of the state's policy

regarding public-private partnership in the space industry of Ukraine is becoming especially relevant today in connection with the adoption by the President of Ukraine of the Sustainable Development Goals of Ukraine until 2030, which provide for the implementation of many socio-economic and political-legal reforms, the purpose of which is to bring domestic norms and standards closer to European norms and standards [9].

Of fundamental importance in conducting an effective state policy regarding public-private partnership in the space industry in Ukraine is the correct setting of its tasks, which represent the desired result of the activities of the entities of the public-private partnership in the space industry in this field at a certain, relatively stable interval or a certain specific moment of social development related to the achievement of the goal of state policy in this direction. The need to apply the concept of "tasks of state policy regarding public-private partnership in the space industry of Ukraine" is because the entire process of social development has a dynamic nature, caused by the influence of both objective and subjective factors. In connection with this circumstance, the entity vested with public power is forced, within the framework of achieving the goal of the state policy regarding public-private partnership in the space industry of Ukraine, to periodically correct the formulation of tasks, and, accordingly, to specify and modify the principles, methods, policy directions and methods use of state resources [10, p. 384]. The presence of state policy tasks regarding public-private partnership in the space industry of Ukraine allows dividing the process of achieving the goal of state policy in this field into periods and highlighting its most promising directions, for which the "desired" results of the functioning of the relevant state entities should be formulated private partnership.

One of the most important periods of the formation of a proper system of public-private partnership in the space industry in Ukraine is the justification of the strategic vector of the development of the state's policy concerning it by defining important directions. The effectiveness of the implementation of this policy, the degree of achievement of its goal and the solution of the relevant urgent tasks depend on the correctness and reasonableness of the selection of priority directions of the state policy regarding public-private partnership in this field. The analysis of the situation in our country with the definition and implementation of priorities forces us to return to the understanding of the very concept of priority and its role in the implementation of certain state policies. It has already been repeatedly noted in the scientific literature that the priority directions of the development of the space sphere adopted in our country, as well as the strategic priorities of space activity, are too broad to be a reliable means of concentrating scientific creative potential, the efforts of the entire society to solve the most pressing today's actual problems [11, p. 51].

We are convinced that it is precisely taking into account the above-mentioned circumstances that it is worth determining the priority directions of the state's policy regarding public-private partnership in the space industry of Ukraine. And the first of these priorities is the creation of favourable socio-economic, organizational and legal conditions for conducting space activities. Undoubtedly, the main determining factor in the development of the sphere of space activity is the global technological nature of modern production, which manifests itself in the transformation of the entire complex of production processes into a set of operations programmed by its nature and automated by its functioning. That is why the successful development of outer space as a strategic resource depends, first of all, on the decentralization and liberalization of the process of state management of scientific, technical and innovative activities [12, p. 60]. It should also be noted that the most promising results of space activity, as a rule, are created as a result of space activity implemented based on, as a rule, relatively small scientific centres and enterprises. The successful development of space activities becomes impossible if the state does not create appropriate conditions for this.

Another priority of the state's policy regarding public-private partnership in the field under investigation is the provision of effective protection and protection of the results of space activities and the right to them. In the conditions of globalization, the following factors present particular difficulty regarding the issues of protection and protection of the results of space activities: informational transparency of the state borders of countries; inconsistency of individual elements of the political and legal field regarding the protection of the results of space activities in national

states; the desire to increase the level of competitiveness on the scale of the state and increase the level of competition between different states, which actively stimulates the desire to introduce innovative technologies not only on the part of individual companies but also on the part of the state [13, p. 82-83].

International cooperation in this area occupies an important place among the priority directions of the state policy regarding public-private partnership in the space industry of Ukraine. Today, Ukraine's participation in international cooperation in the field of space activities is implemented mainly in the following forms:

- active cooperation with the International Organization for Communication via Artificial Earth Satellites (INTELSAT), including specific participation in the activities of its governing bodies, permanent specialized committees and working groups of this international organization;
- cooperation in the field of space activities with the European Space Agency (ESA) in the format of works aimed at the integration of Ukraine into the European Union (technical cooperation with the European Commission becomes a particularly important aspect. The Ukrainian side has the opportunity to use various instruments of external technical assistance, such as, for example, tools of the European Meteorological Satellite Organization (EUMETSAT), European Satellite Communication Organization (EUTELSAT), etc.);
- participation in alliances, treaties, agreements, and conventions, the administrative functions of which are carried out by the International Organization for Communication via Artificial Earth Satellites (INTELSAT);
- cooperation with regional international organizations (in particular, the Arab Satellite Communication Organization (ARABSAT));
- bilateral intergovernmental cooperation and cooperation at the level of relevant departments of foreign countries (for example, fruitful cooperation in the field of space activities with the US government continues. In bilateral relations with Ukraine, the US pays special attention to the issue of protecting rights to the results of space activities. At the initiative of the American government, a Ukrainian – American Group Cooperation on the Issues of Ensuring the Implementation of Legislation in the Field of Space Activities. It performs the role of an effective means of solving the actual problems faced by rights holders and state bodies [14, p. 180];
- cooperation with non-governmental and public organizations whose activities are related to the sphere of space activity (American, European, and Ukrainian companies in Ukraine: Committee for Space Research (COSPAR), International Astronautical Federation (IAF), Polish Space Agency (POLSA), European Space Agency (ESA), National Space Research and Development Agency (NASRDA), Office of National Civil Service and Records Aérospatiales (ONERA) and others.

5. Conclusions.

Thus, the state policy regarding public-private partnership in the space industry of Ukraine should be understood as the course (or main directions of development) of state regulation of public relations developed in the process of interaction between state and public institutions, as well as individual citizens, which arise in the process of implementing public management in the field of space activity, prepared for implementation and implemented by the bodies of the executive branch of government. And even though quite often when defining state policy one of the components of the definition is the "activity" of public administration bodies, it is state policy that is a static phenomenon and is subject to implementation through the state mechanism, which consists of public bodies and institutions. The implementation of state policy is entrusted to the bodies of the executive branch of government. Solving the problem of dividing the competence of executive authorities with the participants of the public-private partnership in the space industry of Ukraine and developing proposals for improving the system of state regulation is impossible without determining the administrative and legal status of these authorities.

References:

1. State policy: textbook / ed. number: Yu.V. Kovbasyuk, K.O. Vashchenko, Yu.P. Surmin and others. Kyiv: NADU, 2014. 448 p.
2. Khridochkin A.V., Makushev P.V., Dudin T.M. Administrative and legal principles of formation and implementation of state policy regarding public administration in the field of intellectual property. Legal bulletin. 2021. Issue 23. P. 178–188.
3. Ogurtsov A.B., Polishchuk O.V. Attracting financial assets under state guarantees – a mechanism for stimulating investment activity of space industry enterprises Economy and the state. 2014. No. 4. P. 114–117.
4. Kharkivska K. V. Concepts and principles of state policy of economic activity regulation. Scientific Bulletin of the International Humanitarian University. Series: Jurisprudence. 2014. Issue 10-1(1). P. 221–225.
5. Horbulin V.P., Shekhovtsov V.S., Shevtsov A.I. The space industry of Ukraine: priority areas of activity in new conditions. Strategic priorities. Series: Politics. 2016. No. 1. P. 5–12.
6. Havrysh O.A., Voitko S.V., Buhun Yu.V. Synthesis of breakthrough technologies of the space industry based on a combination of research, scientific and technical, production and investment activities. Economy and the region. 2015. No. 6. P. 3–10.
7. Lysak S.V. Scientific and cultural and educational activities of aviation and space museums of Vinnytsia. Collection of scientific works [Kharkiv National Pedagogical University named after H.S. Skovoroda]. Series: "History and Geography". 2011. Issue 40. P. 179–185.
8. Beglii O.V. State regulation of space activity and national security of Ukraine in the conditions of transition to sustainable development. Legal Bulletin. Air and space law. 2006. No. 1. P. 31–36.
9. On the Sustainable Development Goals of Ukraine for the period until 2030: Decree of the President of Ukraine dated September 30, 2019 No. 722/2019. URL: www.president.gov.ua/documents/7222019-29825.
10. Drapailo Yu.Z. Regarding new directions of economic and legal regulation (on the example of space activity). Actual problems of the state and law. 2012. Issue 64. P. 381–388.
11. Ryzhenko I.M., Galagan O.Ya. State participation in space activities: legal approaches and consequences. Advanced space law. 2018. Vol. 2. P. 50–62.
12. Kolodyazhna I.V. Development of innovative activity of the enterprise in conditions of competition. Scientific Bulletin of the Uzhhorod National University. Series: International economic relations and world economy. 2018. Issue 18(2). P. 58–62.
13. Kuznyakova T.V. State policy in the field of intellectual property: history of formation and international experience. Problems of engineering and technical education. 2015. No. 48-49. P. 80–90.
14. Zhuravlyova L. To the problem of commercialization of space activity of the USA. Scientific journal of the M.P. Drahomanov NPU. Series 6: Historical sciences. 2016. Issue 14. P. 173–183.

S.R. Karpenko,
*doctoral student of the department
public and private law
University of Customs and Finance*