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LEGISLATIVE ADJUSTING OF DEVELOPMENT OF MOUNTAIN TERRITORIES OF UKRAINE

In the article outlined normatively legal base which regulates development of mountain territories of Ukraine. The functions of institutes which are responsible for development of mountain territories in Ukraine are outlined. The correct ways of increase of efficiency are offered institutional and normatively legal providing of development of mountain territories of Ukraine.

Keywords: mountain territories, institutional providing, socio-economical development, institutional principles, normatively legal certificates.

Raising of scientific problem, its actuality and level of working out. Achievement of strategic purpose of public policy in the field of socio-economic development of mountain territories requires formed and valuable normatively legal bases. These questions are represented in labors of such Ukrainian research workers, as: S. Bila, F. Varnaliy, I. Vorotin, I. Demchenko, P. Zhuk, I. Kravtsiv, O. Nastechnko, P. Samoletov, Y. Stadnickiy, O. Shabliy, L. Shevchuk and others, devoted to the general issues of development of mountain areas of Ukraine. However problem of improvement normatively legal providing of them socio-economic development remains yet investigational not enough and needs more detailed consideration.

Presentation of basic material of research. Nowadays the process of planning and prognostication of socio-economic development of mountain territories in Ukraine is regulated by such normatively legal certificates, as Law of Ukraine "On state prognostication and program of economic and social development of Ukraine" development from 23.03.2000 and Decision of Cabinet Ukraine "About develop-

ment of prognosis and programmatic documents of economic and social development and drawing up a draft of the state budget" from 26.04.2003.

Among the levers of government control of processes of development of mountain territories the normatively legal documents deserve on the special attention, that must to provide a basis for their stable development and maximally effective return from functioning of the proper socio-economic complex. For today a policy in relation to mountain territories in Ukraine is regulated such basic legislatively normative by certificates, as Law of Ukraine "On status of mountain settlements in Ukraine" from 15.02.1995. Resolution of Cabinet of Minister of Ukraine "About the list of settlements, which is given status of mountainous" from 11.08.1995, Resolution of Cabinet of Minister of Ukraine "About the terms of payment labors of persons, which work in mountainous districts" from 11.08.1995. The mentioned documents are declared by the state guarantees of socio-economic development of mountain territories and settlements which status of mountain is given.

The questions of socio-economic development of mountain territories are regulated and many other normatively legal by documents, however only partly and complement the higher mentioned documents.

Principles of socio-economic development of mountain territories are directly regulated by Law of Ukraine "On stimulation of development of regions", in which, in particular, certainly mechanism of planning of development of regions, in obedience to which Cabinet of Minister forms state strategy of regional development, and on its basis local authorities are developed by regional strategies which contain the task of socio-economic development of mountain territories also. Other instruments of realization of socio-economic policy in mountain territories are determined by certainly programs of overcoming of depression of territories and there are special purpose governmental programs of the proper of a particular branch direction.

A list of normatively legal certificates regulates socio-economic development of mountain territories through claim of the most various programs. In particular, in the list of the government (having a special purpose) programs which it was planned to finance in 2013, 120 different programs, which are ratified Parliament, Government and President of Ukraine, were counted [1]. Greater part of these programs definitely influences on development of the proper mountain territories of separate areas of Ukraine. Local authorities, from its side, on implementation normatively legal certificates, and also from own initiative develop and assert the programs the general amount of which in the separate organ of power can exceed a few tenths. It and in generally used Programs of socio-economic development of areas (districts), for example Regional strategy of development of the Zakarpattia area to 2015 year, and also special, for example regional program of development of rural territories in the Zakarpattia area and others like that.

On the whole, the retrospective analysis of the programs of socio-economic development of regions, where accordingly determined task in relation to them of mountain territories, testifies that during the last years ten of the new programs, financing of which required consid-

erable budgetary facilities, was annually developed and became firmly established. There was it from different grounds: for initiatives of Cabinet Ukraine, on implementation of commissions of Verkhovna Rada of Ukraine, President of Ukraine, national security and defensive of Ukraine Council.

For today the order of development and implementation of the government having a special purpose programs is regulated Resolution of Cabinet of Minister of Ukraine ¹ 10626 from 31.01.2007 and by the list of orders of central organs of executive power [6]. However related a problem of the legal adjusting of process of forming of the government having a special purpose programs closely is to the necessity of acceptance of the unique national strategic document of development of the state, which is the reason of absence of long-term priorities of public policy are expressly set, on realization of which the government having a special purpose programs must be directed. For development of such document in the developed countries of the world strategic orients of the balanced development serve as legal grounds in accordance with international decisions in Rio de Janeiro (1992) [5] and Yoghannesburzi (2002) [2]. Besides it, the necessity of development of document with strategic orients of development of the state is predetermined obligations, which are taken Ukraine after joining by it on April, 19 in 2007 to Parisian declaration in relation to the increase of efficiency of external help [9].

Thus, for today in Ukraine certain legal terms for planning and realization of socio-economic development of mountain territories are created, the proper institutional infrastructure is in particular formed, some norms are duplicated i in a few normative certificates (for example, instruments of steady development of territories which can be used and in the case of mountain territories) [8]. Therefore further perfection of legislation must be direct in this sphere, above all things, on the removal of separate blanks it normatively legal providing and settlement of legal relationships which arise up taking into account the necessity of providing of steady development of mountain territories.

So, an important value is acquired by an improvement normatively legal principles of

domestic regulator policy, above all things in the method of implementation i of procedure of development of projects of socio-economic development exactly of mountain territories. It is marked yet on the stage of planning normatively legal certificates in Ukraine substantially able to promote the level of efficiency of the planned measures and will be instrumental in prevention of acceptance of groundless administrative decisions [12].

Looking at normatively legal adjusting of process of development of mountain territories of region of Carpathians of Ukraine the account of positions of Scope convention has an important value about a guard and steady development of Carpathians, that was accepted on Mays, 22 in 2003 in Kyiv on 5th Conference of Ministers of natural environment protection of Europe of "Environment for Europe" and ratified by Verkhovna Rada of Ukraine on April, 7 in 2004 [13].

It is useful to take also into account Strategy of implementation of convention of Carpathians, ratified the order of Cabinet Ukraine in January in 2007 [14]. In this documents circle of existent problems of socio-economic development of mountain territories was underlined and directions of their decision are offered, certainly authorized organs, their jurisdiction, in relation to realization of the planned measures. By the practical instrument of realization of socio-economic policy there must be the government program of steady development of Ukrainian Carpathians in mountain territories of this region. It must consist exceptionally of priority investment projects of social, economic, cultural and ecological development of mountain territories with the proper terms of implementation, volumes and ways of finance [3]. It must be marked that successful socio-economic development of mountain territories must be

provided due to functioning of institutes which execute such functions within the limits of the plenary powers: making decision, informative and motivational [17]. The effective providing of realization of the accepted decisions on questions development of mountain territories must consist of aggregate institutional legal rules of distributing of plenary powers of subjects of administrative activity; informative is the institutional providing of politic monitoring in this sphere; motivational – rules and mechanisms of realization of decisions of governmental mountain policy.

By the issue of the day normatively legal the fields of socio-economic development of mountain territories in future are inconsistency of rights and duties of local organs of executive power and organs of local self-government, especially at the level of areas, in relation to the separate questions of development of these territories, which results in the origin of competitive disputes. The presence of far of the delegated plenary powers deprives subjects of local self-government of organization-legal independence by virtue of that the delegated plenary powers become not right, but duty practically.

Conclusions. The higher conducted analysis of the institional providing of development of mountain territories shown that priority directions in this sphere must become followings: presence of the proper legal base which rations realization of strategy of socio-economic development of mountain territories; determination of purpose (aims) of administrative activity is in relation to development of mountain territories; financial providing of realization of the programs of socio-economic development of mountain territories; determination of institutes, accountable for realization of strategy and plans of socio-economic development of mountain territories.

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