

CONSOLIDATION OF TERRITORIAL COMMUNITIES UNDER THE CONDITIONS OF MULTI-ETHNICITY IN THE SOUTH OF ODESSA OBLAST

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Abstract

The ethno-national characteristics are considered to be one of the reasons for blocking the process of voluntary consolidation of the territorial communities in the south of Odessa Oblast. This is because this sub-region is characterized by high multi-ethnicity and ethnically mixed population where the Ukrainians live compactly, as well as Russian, Bulgarian, Moldovan, Gagauz and Albanian national minorities. The domination of the particular ethnic groups is observed not only at the level of the communities, but also at the level of the particular raions (districts).

Keywords: *ethnicity; region; sub-region; communities*

The disregard of ethnic characteristics of the region in the process of Oblast Perspective Plan on voluntary consolidation of territorial communities (ignoring the legal requirements of the Law of Ukraine On Voluntary consolidation of territorial communities) has caused the high discreditation of the territorial reforming in the region and emergence of social and political tension.

The additional importance of the process was supported by the Parliamentary Assembly of the Council of Europe Resolution No. 2145 dated 25 January 2017 on the functioning of democratic institutions in Ukraine that stipulated that the process of decentralization must be implanted taking into account the ethnic composition of the regions. That is why it is actual to elaborate the optimal mechanisms and instruments for the consolidation of territorial communities under the conditions of multi-

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ethnic sub-region of the South of Odessa oblast (Budzhak, the Ukrainian Bessarabiya) and to support their implementation into the political and administrative practice at the regional and central levels.

The basis of the methodology of this research includes the following methods and instruments:

1) As the Census of Ukraine population, which includes also language and ethnic affiliations, was conducted in 2001, and because the governmental bodies of statistics provide the analysis only within the boundaries of the raions, the ethnic map of the sub-region of the south of Odessa oblast was created in the format of the particular communities and settlements constituting them (179 communities) and raions (9 raions) dated 2016. For this purpose, the data of the registries of the territorial communities, being in force since 2015, was analyzed. It allowed (based on Linguistic diversity index of Greenberg) to define the level of ethnic mixed composition of the sub-region.

Example: the Kiliya raion in general

- Ukrainians – 40,1%
- Russians – 32,0%
- Moldovans – 17,2%
- Bulgarians – 4,3%
- Gagauz – 4,9%

Table 1. In the context of the communities and settlements

	<i>Ukrainians</i>	<i>Russians</i>	<i>Moldovans</i>	<i>Bulgarians</i>	<i>Gagauz</i>
Kiliyska municipal community	11 064	8 057	2 234	785	164
Vylkivska municipal community					
<i>town Vilkove</i>	2 236	5 540	92	37	31
<i>village Bile</i>	15	6	-	-	
Vasytkivska village community	285	606	90	58	19
Desantnenska village community					
<i>village Desantne</i>	1 384	223	58	49	28
<i>village Novomykolaivka</i>	217	210	70	38	20

	<i>Ukrainians</i>	<i>Russians</i>	<i>Moldovans</i>	<i>Bulgarians</i>	<i>Gagauz</i>
Dmytrivska village community	8	21	3 042	6	1
Liskivska village community	1500	310	96	70	25
Myrnivska village community	349	1 102	51	12	7
Novoselivska village community	80	65	72	750	612
Prymorska village community	599	986	14	9	4
Pryozernenska village community	12	8	1 711	25	14
Starotroyanivska village community					
<i>village Stari Troyany</i>	41	165	81	725	1 282
<i>village Dzynilor</i>	15	62	44	15	26
Trudivska village community					
<i>village Trudove</i>	1 183	26	234	28	17
<i>village Mykolaiivka</i>	22	3	8	0	0
Furmanivska village community	450	78	816	21	18
Chervonoyarska village community	28	15	757	6	1
Shevchenkivska village community					
<i>village Shevchenkove</i>	4 784	558	119	63	53
<i>village Pomazany</i>	84	17	3	4	0
Raion in general	23950	18580	9720	2550	2700

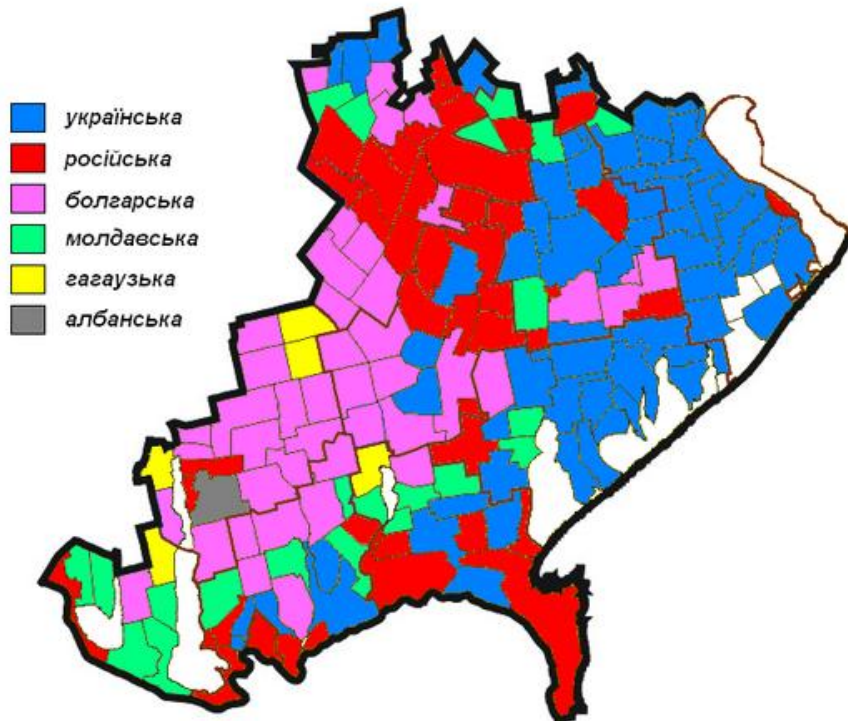


Fig. 1. Ethnic map of the sub-region

(blue - Ukrainians; red - Russians; pink - Bulgarians; green - Moldovans; yellow - Gagauz; grey - Albanians)

2) Because of the lack of the relevant information in Odessa oblast Council and Odessa oblast State Administration, the ethnopolitical situation in the sub-region of the south of Odessa oblast was actualized.

All decisions of local councils on the issues of voluntary consolidation of territorial communities had been collected. As the result, the main reasons for rejection in decision-making had been revealed.

Table 2. The decisions of the local self-government bodies of the south of Odessa oblast on voluntary consolidation of territorial communities and administrative and territorial arrangement

	<i>Prevailing ethnic group in the territorial community</i>					
	<i>Ukr.</i>	<i>Russians</i>	<i>Bulgarians</i>	<i>Moldovans</i>	<i>Gagauz</i>	<i>Albanians</i>
Total quantity of the communities	70	38	44	21	5	1
Communities that adopted the decisions on issues of voluntary consolidation:	32	19	37	12	3	1
<i>adopted the proposals</i>	24	3	7	-	-	1
<i>rejected the proposals</i>	8	16	32	12	3	
References to ethnic factors in rejecting voluntary consolidation	2	6	18	12	3	-
	<i>Predominant ethnic group in the raion</i>					
Total number of raions	5	2	1	1	-	-
Raion councils that adopted the decisions on issues of voluntary consolidation:	3	1	1	1		
<i>inadvisability of conducting the voluntary consolidation within the boundaries of raion</i>	2	1	1	1		
<i>creation of one territorial community on the basis of already existing communities within the raion</i>	1		1			

3) Regarding the data of the Ministry of Justice, the analysis was made on the factors of ethnic self-organization of the population in the format of the registry of NGOs working in ethnocultural sphere for the territory of their

application, in particular: region-wide (oblast); subregion-wide (raion); local-wide (community/hromada).

4) The content analysis of the media was made for the period of 2015-2016 on the attitude of population to the process of voluntary consolidation of territorial communities on the south of Odessa oblast.

The conclusions of the content-analysis:

- neutral informational attitude to voluntary consolidation – 44%;
- negative attitude to voluntary consolidation – 47%, including reference to ethnic factors – 26%.
- positive attitude to voluntary consolidation – 9%.

5) The analysis was made on existing proposals and the "passports" (profiles) of the future territorial communities developed by the Odessa oblast State Administration. The communities' profiles were complemented by ethnic and language components and the corresponding cartographic materials (totally 179 communities of the sub-region). It permitted to identify and diagnose the problematic areas of the voluntary consolidation in the region regarding the ethnic problems. Example:



Table 3. Bolgrad city community (official proposal)

	<i>Ukrainian</i>	<i>Bulgarian</i>	<i>Gagauz</i>	<i>Russian</i>	<i>Moldovan</i>
Bolgrad city community (15 500 persons)	13,9	32,7	2,0	48,7	1,1
Bannivska city community (1210 persons)	4,0	89,4	0,3	5,1	1,0
Vasytkivska city community (3900 persons)	1,8	95,5	0,3	1,9	0,5
Vynogradivska city community (4500 persons)	1,7	3,3	86,2	7,3	0,7
Vladychenska city community (1580 persons)	4,8	74,4	5,3	11,9	3,2
Karakurtska city community (2700 persons)	4,6	18,5	11,5	15,1	Albanians - 49,1
Zaliznuychenska city community (3480 persons)	3,5	76,5	4,7	12,1	2,1
Krynynchenska village community					
<i>village Krynychne</i> (4340 persons)	1,6	93,3	0,3	3,3	0,7
<i>village Kosa</i> (173 persons)	2,5	0,8	0,8	92,6	2,5
Oksamytnenska village community					
<i>village Oksamytnove</i> (940 persons)	8,2	21,3	11,5	50,1	6,5
<i>village Topolyne</i> (420 persons)	9,8	15,5	7,0	58,6	7,5
Tabachnenska village community (2480 persons)	3,0	78,2	7,6	9,1	1,2

Table 4. Chervonoarmiyska village community (official proposal)

	<i>Ukrainian</i>	<i>Bulgarian</i>	<i>Gagauz</i>	<i>Russian</i>	<i>Moldovan</i>
Vynogradnenska village community (2140 чол.)	1,9	94,8	0,9	1,7	0,5
Goluckay village community (1500 чол.)	2,9	91,6	0,5	2,9	1,3
Gorodnenskay village community (5100 чол.)	1,5	93,8	0,9	2,9	0,5
Dmytrivska village community (4800 чол.)	0,9	1,6	96,2	1,0	0,3
Calchivskay village community (3480 чол.)	1,7	94,2	0,9	2,4	0,5
Novotroynovskay village community (4230 чол.)	1,4	95,6	0,7	1,5	0,5
Oleksandrovskoy village community (2450 чол.)	1,7	3,4	89,2	4,3	1,0
Orihivskay village community (2420 чол.)	2,1	94,0	0,8	1,8	0,9
Cochybeivskay village community (6540 чол.)	1,5	62,1	26,6	9,4	0,2
Raion in general:	4,9	57,6	17,8	16,3	1,0

6) The questionnaire on expert survey was developed and the respective survey was carried out (the survey of the chairpersons of the local self-government bodies, heads of executive bodies, scholars, NGO managers who deal with the problems of decentralization (in total 73 respondents) with an aim to identifying the professional opinion on possibility, direction and mechanisms of reforming the territorial authority in the region.

Example of the questions and the results:

14. *Were (in your opinion) the norms of the Law of Ukraine "On Voluntary consolidation of territorial communities" observed regarding the historical, natural, ethnic, cultural and other factors which influence social and economic development of the consolidated territorial community in the process of adopting the regulation acts on the procedures of consolidated territorial communities formation in Odessa oblast?*

- yes; 21%; partially; 9%; no; 25,5%; it is hard to answer; 44,5%.

19. *In your opinion, if the formation of economically and financially capable territorial community may be carried out through the consolidation of neighboring communities where the different ethnic groups are predominant, what the process of territorial arrangement must be?*

- consolidation is inadvisable; 27%
- consolidation is advisable; 54%
- it is hard to answer; 19%

20. *If it is inadvisable, then for what reasons:*

21. *Whether the consolidation of several neighboring communities (where the predominant is one national minority) into one territorial community is advisable, on condition that it would lead to violation of the Methods of capable territorial communities formation regarding the accessibility to administrative centre of the community (a zone of the accessibility of administrative centres is a distance of no more than 20 km by the roads with hard covering. The distance can be prolonged to 25 km in a case the number of zone population (in a zone of more than 20 km remoteness from the administrative centre) is no more than 10% from the general population size of such community)*

- consolidation is inadvisable; 7,5%
- consolidation is advisable; 79%
- it is hard to answer; 13,5%

23. *In your opinion, if during the process of raion arrangement, the issue on consolidation of neighboring raions with the predominance of various ethnic groups is discussed, how should the raion arrangement be done:*

- consolidation is inadvisable; 37%
- consolidation is advisable; 39%
- it is hard to answer; 24%

32. *In your opinion, how the inter-ethnic relations will change if, after the consolidation of communities with the predominant Moldovan population and with the predominant Bulgarian population, the Moldovan ethnic group is the predominant in the newly consolidated community?*

- will become better; 1,5%
- will become worse; 21%
- will be without changes; 65%
- it is hard to answer; 22,5%.

7) The survey on the basis of the adapted (to the conditions of the region) Eysenck-Wilson questionnaire was conducted (totally 636 respondents) on the prevailing ethnic groups of the sub-region taking into consideration their systems of residence (mono- and multi-ethnic communities). The index of ethnic tolerance and readiness for the consolidation of communities with different population composition was defined.

Two types of village territorial communities were chosen for the research:

Type I. The communities with the absolute predominance of the particular ethnic group (28 communities)

- Bulgarian – 8 communities
- Moldovan – 7 communities
- Ukrainian – 6 communities
- Russian – 5 communities
- Gagauz – 1 community
- Albanian – 1 community

Type II. The communities that consist of several communities where different ethnic group are predominant (10 communities):

Ukrainian-Bulgarian- 3
 Bulgarian-Russian- 1
 Ukrainian-Russian- 1
 Moldovan-Russian – 2
 Ukrainian-Moldovan – 2
 Bulgarian-Moldovan – 1

The respondents (636 persons) according to their ethnic characteristics were divided as following:

- Bulgarians – 180 persons
- Moldovans – 143 persons
- Ukrainians – 136 persons
- Russians – 122 persons
- Gagauz – 24 persons
- Albanian – 13 persons
- Romas – 18 persons

In general the results were the following (%):

Ethno-nihilism	Ethnic indifference	Positive ethnic identity	Ethno-egoism	Ethno-isolationism	Ethno-fanaticism
8,5	11,9	52,3	15,6	5,3	0,4

According to their ethnic characteristics the respondents were divided as following (%):

A) Ukrainians

Ethno-nihilism	Ethnic indifference	Norm (Positive ethnic identity)	Ethno-egoism	Ethno-isolationism	Ethno-fanaticism
8,3	19,5	45,7	16,1	8,5	1,9

B) Russians

Ethno-nihilism	Ethnic indifference	Norm (Positive ethnic identity)	Ethno-egoism	Ethno-isolationism	Ethno-fanaticism
12,4	24,3	48,2	9,6	5,3	0,2

C) Bulgarians

Ethno-nihilism	Ethnic indifference	Norm (Positive ethnic identity)	Ethno-egoism	Ethno-isolationism	Ethno-fanaticism
2,6	4,1	62,1	25,7	5,4	0,1

D) Moldovans

Ethno-nihilism	Ethnic indifference	Norm (Positive ethnic identity)	Ethno-egoism	Ethno-isolationism	Ethno-fanaticism
3,9	5,5	52,9	29,6	7,3	0,8

E) Gagauz

Ethno-nihilism	Ethnic indifference	Norm (Positive ethnic identity)	Ethno-egoism	Ethno-isolationism	Ethno-fanaticism
7,4	14,5	63,1	12,6	2,3	0,1

F) Albanians

Ethno-nihilism	Ethnic indifference	Norm (Positive ethnic identity)	Ethno-egoism	Ethno-isolationism	Ethno-fanaticism
12,6	21,9	55,9	5,3	4,2	0,1

The survey results on the 1-st type communities were the following (%):

Ethno-nihilism	Ethnic indifference	Norm (Positive ethnic identity)	Ethno-egoism	Ethno-isolationism	Ethno-fanaticism
10,8	23,3	47,5	14,7	2,8	0,9

The survey results on the 2-nd type communities were the following (%):

Ethno-nihilism	Ethnic indifference	Norm (Positive ethnic identity)	Ethno-egoism	Ethno-isolationism	Ethno-fanaticism
6,3	14,5	59,8	14,3	4,9	0,2

8) The basic approaches on administrative and territorial reform, peculiarities caused by compact settlement of national minorities in Odessa oblast in the process of local communities consolidation were formulated:

1. The main purpose in forming capable consolidated communities in the areas with national minorities is the development of socio-economic basis for sustainable development of the territories aiming to preserve national minorities and to ensure conditions for their free and full development.
2. It is not permissible to ignore the principle of voluntariness. It is important to consider the opinion of ethnic communities.
3. Providing administrative-territorial reform is necessary to resist the actions that unreasonably and/or without the consent of ethnic minorities may change ethnic and ethnolinguistic structure of population in relevant administrative units and may lead to restrictions of collective and/or individual rights and freedoms.
4. Consolidating communities is important to focus on ethnocultural diversity, taking into account the specific needs of socio-cultural development of ethnic (national) groups within the integrated communities and strict observance of constitutional human and civil rights.
5. It is also necessary to preserve and develop local (within the territory of historical settlement of minorities) and supra-local (within the region, Ukraine and abroad) inter-ethnic (inter-nation) relations.

6. It is important to create the system of territorial arrangement of public authority capable to consider the specific needs of each ethnic community and conduct target-oriented national ethnic policy.

9) In consolidating local communities the principled approaches were formulated regarding administrative and territorial reform, features caused by compact settlement of national minorities in the Odessa oblast. Three models in the formation of communities in the areas of compact residence of national minorities have been developed on the basis of these approaches: mainly one ethnic; double-ethnic with the certain numerical predominance of one of the minorities; multi-ethnic with the absolute or relative majority of one of the minorities. These models have been adapted to the conditions of specific territories on the basis of which the optimal frameworks of future communities of the subregion were formed.

Example:

Table 5. Gorodnenskay consolidated community

For its composition it was suggested to consolidate four territorial communities

No	Name of territorial communities and settlements included into their composition (regarding their administrative status)	Quantity of population (on January1, 2016)	Ethno-linguistic structure of communities, results of 2001 census (native language (%):	Distance to the potential administrative center of, kilometres
1	Gorodnenskay village community, village Gorodne	4816	Language: <i>Bulgarian</i> - 93,8%; Russian - 2,9%; Ukrainian - 1,5%.	
2	Oleksandrovskiy village community, village Oleksandrovka	2307	Language: Gagauz - 89,2%; Bulgarian 3,4%; Russian - 4,3%.	9
3	Novotroynovskiy village community, village Novi Troeny	3923	Language: <i>Bulgarian</i> - 95,6%; Russian 1,5%; Ukrainian - 1,4%.	13
4	Dmytrivska village community, village Dmytrivka	4457	Language: Gagauz - 96,2%; Bulgarian - 1,6%.	26

The total number of Gorodnenskaya territorial community would be 15,5 thousand people. The correlation of Bulgarians and Gagauz would be approximately 55% and 45%. At the same time the distance from the village of Dmytrivka to the potential administrative center of this consolidated community would be 26 km. However because of communication (roads) and the quantity of population of these settlements there was proposed to form two amalgamated communities, namely: Dmytrivska amalgamated territorial community after the consolidation of existing Dmytrivska and Oleksandrivska territorial communities (mainly Gagauz communities); Gorodnenska amalgamated territorial community after the consolidation of existing Gorodnenske and Novotroynsvske territorial community (mainly Bulgarian).

10. The realisation of the art. 16 of the Framework Convention for the Protection of National Minorities (ratified by the Law of Ukraine # 703/97-BP of 12.09.97) in the Europe states was analyzed: "The Parties shall refrain from measures which alter the proportions of the population in areas inhabited by persons belonging to minorities and are aimed at restricting the rights and freedoms based on the principles enshrined in the present Framework Convention".

12. The proposals for legal regulation improvement of the voluntary consolidation of territorial communities were developed.

The legislative proposal for the amendments to the Law of Ukraine «On Voluntary consolidation of Territorial Communities» № 157-VIII of 05.02.2015.

Article 4, paragraph 1:

Current law

Article 4. Basic conditions of the voluntary consolidation of territorial communities

1. Voluntary consolidation of territorial communities of a village, township, town/city shall be implemented in compliance with the following conditions:

1) in the consolidated territorial community the other territorial community which has its own representative body of local self-government cannot exist;

2) the territory of the consolidated territorial community shall be inseparable, its boundaries shall be set within the external boundaries of the consolidated territorial community councils' jurisdiction;

Draft proposals

Article 4. Basic conditions of the voluntary consolidation of territorial communities

1. Voluntary consolidation of territorial communities of a village, township, town/city shall be implemented in compliance with the following conditions:

1) in the consolidated territorial community the other territorial community which has its own representative body of local self-government cannot exist;

2) the territory of the consolidated territorial community shall be inseparable, its boundaries shall be set within the external boundaries of the consolidated territorial community councils' jurisdiction;

The boundaries of the capable territorial community can be set without the consideration

- 3) consolidated territorial community shall be located within the territory of the Autonomous Republic of Crimea, one region;
- 4) when the decision on voluntary consolidation is taken the historical, geographic, ethnic, cultural and other factors that influence the social-economic development of the consolidated territorial community shall be considered;
- 5) quality and availability of public services in the consolidated territorial community can not be lower than before consolidation;

of external boundaries of consolidated territorial community councils' jurisdiction if there are ethnic differences of the population of the settlements functioning under jurisdiction of the relevant councils

3) consolidated territorial community shall be located within the territory of the Autonomous Republic of Crimea, one region;

4) when the decision on voluntary consolidation is taken the historical, geographic, ethnic, cultural and other factors that influence the social-economic development of the consolidated territorial community shall be considered;

5) quality and availability of public services in the consolidated territorial community can not be lower than before consolidation;

6) *In the places of the compact living of indigenous people and national minorities the saving of their living space, stimulating of the ethno-cultural variety and fulfilling the specific needs of socio-cultural development of ethnic (national) groups in consolidated territorial communities along with strict observance of constitutional human and citizen rights are priorities in forming the capable territorial community.*

Article 7.5:

Current law

In case of compliance of the draft decision on voluntary consolidation of territorial communities with the Constitution of Ukraine and Laws of Ukraine, village, township, town/city councils make a decision on the voluntary consolidation of territorial communities or on the conducting of local referendum on supporting the consolidation.

Draft proposals

In case of compliance of the draft decision on voluntary consolidation of territorial communities with the Constitution of Ukraine and Laws of Ukraine, village, township, town/city councils make a decision on the voluntary consolidation of territorial communities or on the conducting of local referendum on supporting the consolidation.

Under the conditions of compliance of the draft decision on voluntary consolidation of territorial communities with the established requirements, village, township, town/city councils can conclude an administrative agreement on consolidation, with its approval by local referendum, if necessary. The content of administrative agreement shall be the consolidated territorial community obligations on social-economic, ecological and ethno-cultural development of the respective consolidated territorial community.

Legislative proposal for amendments to the Law of Ukraine «On local self-government in Ukraine» of 21.05.1997

Article 26, paragraph 3:

Current law

3. The following issues, except those stated in the article 26 paragraph 1, shall be decided exclusively on plenary sessions of village, township, town/city councils of consolidated territorial community, according to the Law of Ukraine “On voluntary consolidation of territorial communities”:

1) forming of starosta district;

Draft proposals

3. The following issues, except those stated in the article 26 paragraph 1, shall be decided exclusively on plenary sessions of village, township, town/city councils of consolidated territorial community, according to the Law of Ukraine “On voluntary consolidation of territorial communities”:

1) forming of starosta districts.

A starosta district is formed (mandatory) in the settlements of a consolidated territorial community which by its ethnic characteristics significantly differs from the other settlements of consolidated territorial communities.

New article

Current law

Draft proposals

Ensuring (in the system of local self-government) the right of indigenous people and national minorities on national and cultural autonomy.

With this article to:

introduce the term “bodies of ethnic self-organization of the population” defining its meaning;

define:

- forms of the right on national and cultural autonomy realization in the system of local self-government;

- forms of representation of the indigenous people and national minorities in local authorities, mechanisms of identification of ethnic groups interests and guarantees of their consideration in respective consolidated territorial communities, including the ensuring of constitutional rights of Ukrainians who are the numerical minority in population of a consolidated territorial community or one of its settlements; - a rule according to which the initiatives of the bodies of ethnic self-organization of the population are mandatory considered by the authorities of a consolidated territorial community and the decisions of a council or its executive committee that affect the interests of the respective ethnic groups shall be agreed with it through starosta or/and respective deputies.

If the proposal initiated by the body of ethnic self-organization of population was rejected, the grounded explanation shall be provided; decision that was made contrary to the position of the body

of ethnic self-organization of population on the issues of realization of the right on national and cultural autonomy, violation of national group or individual rights may be appealed in court.

Legislative proposal for amendments to the Law of Ukraine “On local elections” №595-VIII of 14.07.2015

Article 2:

Current law

Article 2. Basic principles of local elections
2.2. Elections of deputies of village, and township councils are carried out on majority system of relative majority in single-candidate constituencies into which the territory of village (voluntary consolidation of residents of several villages into one village community) is divided, township (settlement), the territory of Ukraine formed according to the Law of Ukraine “ On voluntary consolidation of territorial communities” consolidated village, township territorial community (further – the territory of a consolidated village, township territorial community)

Draft proposals

Article 2. Basic principles of local elections
2.2. Elections of deputies of village, and township councils are carried out on majority system of relative majority in single-candidate constituencies into which the territory of village (voluntary consolidation of residents of several villages into one village community) is divided, township (settlement), the territory of Ukraine formed according to the Law of Ukraine“ On voluntary consolidation of territorial communities” consolidated village, township territorial community (further – the territory of a consolidated village, township territorial community)
In the places of the compact living of the indigenous people and national minorities the forming of single-candidate constituencies is carried out with the consideration of area of this national community’s settlement.

Article 35, paragraph 2:

Current law

Article 35. Nomination of candidates for deputies, candidates for village, township, town/city head, starosta
2. The right to nominate the candidates for deputies of Verkhovna Rada of the Autonomous Republic of Crimea, regional (oblast), raion, city, including Kyiv and Sevastopol, district in city councils is realized by electorate in respective multi candidate constituencies through local parties in accordance with this law.

Draft proposals

Art. 35. Nomination of candidates for deputies, candidates for village, township, town/city head, starosta
2. The right to nominate the candidates for deputies of Verkhovna Rada of the Autonomous Republic of Crimea, regional (oblast), raion, city, including Kyiv and Sevastopol, district in city councils is realized by electorate in respective multi candidate constituencies through local parties in accordance with this law.
In the places of compact living of indigenous people and national minorities the right to nominate the candidates for deputies of village, township, town/city councils, the candidates for village, townsgip town/city head, starosta is carried out through their national consolidations which are functioning in accordance with the law within the respective administrative units.

Legislative proposal for the amendments to the Law of Ukraine “On cooperation of territorial communities” №1508-VII of 17.06.2014

Article 3, paragraph 2:

Current law

Article 3. Subjects and spheres of cooperation

2. The cooperation is performed in the spheres of common interests of territorial communities within the powers of relevant local self-government bodies if the other is not provided by the law.

Draft proposals

Article 3. Subjects and spheres of cooperation

2. The cooperation is performed in the spheres of common interests of territorial communities within the powers of relevant local self-government bodies if the other is not provided by the law.

The cooperation of territorial communities in the sphere of ethno-national development may be performed within territories of historical settlement of indigenous people and national minorities, as well as within upper local level (region (oblast), national and international cooperation)

Article 15, paragraph 1:

Current law

1. State stimulation for cooperation is carried out by:

1) providing the subventions to local budgets in priority spheres of state policy

Draft proposals

1. State stimulation for cooperation is carried out by:

1) providing the subventions to local budgets in priority spheres of state policy, *including the places of compact living of indigenous people and national minorities for realization of their socio-economic, national and cultural development programs;*

Legislative proposal for the amendments to the Law of Ukraine “On bodies of self-organization of population” №2625-III of 11.07.2001

Article 7

Current law

Article 7. The territory within which the body of self-organization of population acts

Draft proposal

Article 7. Territory within which the body of self-organization of population acts

7.4 *Within one settlement the various bodies of self-organization of population of different ethnic groups could be formed.*

Article 14, paragraph 1

Current law

1. To the body of self-organization of population within the territory of its competence the following powers may be delegated:

Draft proposal

1. To the body of self-organization of population within the territory of its competence the following powers may be delegated:

15) *resolving the issues of national and cultural development*

Regulatory proposal for the amendments to the Resolution of the Cabinet of Ministers of Ukraine "On Approval of Methods for the formation of the capable territorial communities" № 214 of 8 April 2015

Article 6:

Current law

Areas of accessibility of these potential administrative centers are defined at a distance of no more than 20 kilometers of paved roads. The distance may be increased to 25 km if the population of a capable territorial community in the area of distance from potential administrative center more than 20 kilometers is not more than 10 per cent of the total population of this community. This distance can be reduced if there are no paved roads or there are terrain features that make it impossible to connect (rivers without bridges, mountains).

Areas of accessibility of potential administrative centers of capable territorial communities determined with the consideration of services availability in relevant areas, in particular the arrival time of emergency to provide medical care in cases of emergency and fire assistance shall not exceed 30 minutes;

Draft proposals

Areas of accessibility of these potential administrative centers are defined at a distance of no more than 20 kilometers of paved roads. The distance may be increased to 25 km if the population of a capable territorial community in the area of distance from potential administrative center more than 20 kilometers is not more than 10 per cent of the total population of this community. This distance can be reduced if there are no paved roads or there are terrain features that make it impossible to connect (rivers without bridges, mountains).

Areas of accessibility of potential administrative centers of capable territorial communities determined with the consideration of services availability in relevant areas, in particular the arrival time of emergency to provide medical care in cases of emergency and fire assistance shall not exceed 30 minutes;

In determining the area of availability of potential administrative centers of capable territorial communities the ethnic composition of the population, including compliance with the dominant ethnic group of administrative center and other settlements of a newly formed territorial community shall be considered. For all of these reasons the availability area of a potential administrative center of capable territorial community can be changed upwards.

Article 7

Current law

The boundaries of the area of the capable territorial community are determined by external boundaries of territorial communities councils jurisdiction that are part of it.

Draft proposals

The boundaries of the area of the capable territorial community are determined by external boundaries of territorial communities councils jurisdiction that are part of it.

The boundaries of a capable territorial community may be determined without consideration of external boundaries of territorial communities councils jurisdiction that are part of it if there are differences in ethnic compound of settlements that are under jurisdiction of the respective councils

Article 10:

Current law

In order to ensure openness and transparency of any activity on Perspective Plan draft the working group consisting of representatives of the Autonomous Republic of Crimea, oblast state administration, relevant local self-governments, bodies of self-organization of population and the public **may** be formed.

Draft proposal

In order to ensure openness and transparency of any activity on Perspective Plan draft the working group consisting of representatives of the Autonomous Republic of Crimea, oblast state administration, relevant local self-governments, bodies of self-organization of population and the public shall be formed, *and in the places of compact living of indigenous people and national minorities – national and cultural institutions and consolidations.*

Article 11:

Current law

In order to consider interests of territorial communities while drafting a Perspective plan the officials, authorized by the Council of Ministers of the Autonomous Republic of Crimea and oblast state administration, consult the representatives of local self-government and their consolidations as well as business entities and their consolidations.

Draft proposal

In order to consider interests of territorial communities while drafting a Perspective plan the officials, authorized by the Council of Ministers of the Autonomous Republic of Crimea and oblast state administration, consult the representatives of local self-government and their consolidations, **national and cultural consolidations**, *as well as business entities and their consolidations.*

Annex

Current law

Passport of a capable territorial community:

Draft proposal

Passport of a capable territorial community:
8) *Ethnic composition of population and usage of languages in secondary schools and kindergartens, adult education institutions beyond the settlements (if there are essential differences in ethnic and/or linguistics features between settlements inside a capable territorial community)*

Regulatory proposal for the amendments to the Resolution of the Cabinet of Ministers «Some aspects on providing subventions from the state budget to the local budgets for infrastructure formation of capable territorial communities» №200 of 16.03.2016

Current law	Draft proposal
Distribution of subventions between local budgets is carried out as follows:	Distribution of subventions between local budgets is carried out as follows:
$V_i = V_o \times (X_i/X + Y_i/Y)/2,$	$V_i = V_o \times (X_i/X + Y_i/Y)/2,$
V_i - amount of consolidated territorial community subventions;	V_i - amount of consolidated territorial community subventions;
V_o - total amount of subventions;	V_o - total amount of subventions;
X_i - amount of village population of consolidated community;	X_i - amount of village population of consolidated community;
X - amount of village population of all consolidated territorial communities;	X - amount of village population of all consolidated territorial communities;
Y_i - area of consolidated territorial community;	Y_i - area of consolidated territorial community;
Y - area of all consolidated territorial communities.	Y - area of all consolidated territorial communities.
	<i>If a consolidated territorial community includes settlements that differ by their dominant ethnic group from the administrative center of the community, the distribution of subventions between local budgets is carried out as follows:</i>
	$V_i = V_o \times (X_i/X + Y_i/Y) + (Z_i/Z + Y_i/Y)/2,$
	<i>where</i>
	Z_i - amount of population that differs by its ethnic characteristics from dominant ethnic group in the community;
	Z - amount of population that differs by its ethnic characteristics from all consolidated territorial communities

Develop and adopt:

Regulations of consolidated territorial community councils. In particular, they shall consider the forming of a deputy group if there are three deputies that represent a certain national minority. They shall also define its powers to influence decision-making process on matters affecting the interests of respective ethnic communities.

Charters of consolidated territorial communities shall consider the provision about forming of the national and cultural consolidation councils in the communities with ethnic variety. These councils shall have a right to make conclusions on local government decisions on ethno-cultural development of national groups.

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