

# REGIONAL INNOVATIONS

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## About InterRegioNovation

**InterRegioNovation** is the International Association devoted to the transfer and exchange of knowledge and innovations at all regional levels (country, region, city, community etc.) between knowledge transfer professionals (business, research institutions, policy makers, government agencies, individuals, others) in all countries of the enlarged Europe, CIS countries and from other continents for stimulating and enhancing economic and social growth in the regions.

This is a policy and research association that brings together all knowledge transfer professionals who are interested in delivering efficient, flexible, innovative and cost-effective services across the private and public sectors. We work closely with business, research and educational institutions, government agencies, policy makers, NGOs, media, individuals and other stakeholders to promote the interests of their industries.

Our members understand the changing needs of the transfer and exchange of knowledge and innovations and through continuous professional development, marketing and networking opportunities offered in this association, we keep current with the latest knowledge trends and issues that challenge people in their work and life journey. We also offer expansive opportunities for partner connection through our networks.

Journal "Regional Innovations" is one of the Association's tools for innovators and everybody who is interested in any aspects of innovation development.



**[www.interregionovation.eu](http://www.interregionovation.eu)**

## About journal

On behalf of the Editorial Board, it gives us a great pleasure to welcome you to the first issue 2015 of the Regional Innovations Journal.

The Regional Innovations publishes original research papers, policy analyses, review papers and book reviews in order to establish an effective channel of communication between business, research institutions, policy makers, government agencies, and individuals relative to the analysis of various aspects of knowledge and innovations transfer and exchange within regional dimensions.

This is an independent, peer-reviewed, Internet-based international journal devoted to publishing original research papers of highest quality, sharing ideas and discussing innovation sector within regional dimensions. Normally, four issues are prepared each year. The journal welcomes to submit research papers by exceptional innovators, leading universities, globally recognized business, government agencies, policy makers and political leaders.

We intend that our readers will be exposed to the most central and significant issues in innovations development. We wish to publish papers that exemplify the highest standards of clarity, and that promise to have significant impact on existing front-line debates or to lead to new ones. The journal explores key priorities of the knowledge and innovations transfer and exchange in terms of critical aspects of human life (economy, law, science, business, health, education, culture etc.). We therefore welcome submissions not only from established areas of research, but also from new and emerging fields and those which are less well represented in existing publications, e.g. engineering studies, biomedical research etc.

We also strive to ensure that being under expert evaluation, each submission will receive developmental and supportive comments to enhance the article. Our refereeing process will involve that each submission will be reviewed by one or more specialists in the relevant field. Articles will be added to the volumes and the journal audience will receive e-mails updates to encourage them to the new articles.

We are delighted with, and immensely grateful to the large numbers of colleagues, both members of the Associations InterRegioNovation and FranceXP (France), representatives from many universities in France, Ukraine, Latvia, UK, Azerbaijan, China and other institutions, who have supported the editorial process. And we are very proud of the expertise that they collectively bring, which we believe is unsurpassed by any contemporary innovative journal.

We are immensely grateful to our colleagues for their support and advice through the process of setting the journal up, and for the confidence they have placed in us in supporting this initiative at a time of economic uncertainty.

In the development of the Regional Innovations to date, we would like to enlist the support of a number of organisations who wish to promote this online journal to their experts. To ensure its sustainability, we would also like to invite other organisations, networks, conferences and meetings to associate themselves with the Regional Innovations. We therefore aim for the Regional Innovations to become the leading online forum to globally disseminate outstanding research papers on innovation sector in regional dimensions. Being an online periodical, the Regional Innovations is also a forum for exchange of imaginative ideas readers wish to share. Contributions of articles on innovations sector and your comments about this issue are very welcome.

To this end, if you lead, represent, or are a member of any such organisation, please contact us to offer your support and commit to promoting the Regional Innovations as a publication outlet for research undertaken by your experts.

We do hope you enjoy and benefit from the Regional Innovations! And many thanks for staying with us in 2015!

**Jean-François Devemy**  
**Publishing Director**

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**LA REPARTITION DES COMPETENCES RELATIVES A LA  
DELIMITATION DES FRONTIERES**

**Résumé**

*Cet article fait le point sur la répartition actuelle des compétences en France en matière de délimitation et de démarcation des frontières. Après avoir recensé les principaux textes applicables, Constitution, traités et textes de droit interne – notamment ceux qui définissent les compétences des principaux ministères et administrations concernées –, il distingue les différentes étapes de la démarcation des frontières: définition, établissement des signes démarcatifs, puis surveillance, vérifications et entretien ou rétablissement. Il trace les perspectives d'évolution des signes démarcatifs et de changement de statut juridique, soulignant que la mise en œuvre de la directive européenne INSPIRE, à partir de 2018, pourrait rendre à termes caducs les signes physiques de démarcation au profit de lignes repérées électroniquement. Il suggère enfin des pistes de clarification de la distribution des compétences entre administrations françaises.*

**Mots clés:** frontières, limites, délimitation, marquage, démarcation, abornement

**Abstract**

*This article settles the present situation about the distribution of competences in France in the area of borders determination and demarcation. It takes at first a census of the existing texts in force – Constitution, treaties, and internal rules – in particular those determining the competences of the main ministries and administrations involved. Then it proceeds with the different steps of borders demarcation: determination, establishing bounds and markers, then survey, checking and maintaining or restoring it. It draws some perspective evolution of the borders markers and its potential change of juridical status, underscoring the fact that starting from 2018, the implementation of the INSPIRE directive might in the future nullify physical marks for the benefit of lines determined by electronic means. It suggests at last ways of clarifying the competences among French administrations dealing with it.*

**Keywords:** border, limits, boundaries, marking, demarcation, borders markers

La délimitation des frontières, leur démarcation, leur entretien, et la surveillance de ces limites induisent de nombreuses conséquences d'ordre diplomatique, juridique, politique, sécuritaire, économique, patrimonial, environnemental, social ou culturel. Elles relèvent de compétences multiples dont la répartition relève souvent autant de la coutume ou de l'habitude que du droit écrit. En faisant le point des principales dispositions existantes, cet article a pour objectif d'amorcer les réflexions sur les

ambiguïtés liées à la situation actuelle en France, et de pointer les voies possibles d'une clarification de la norme.

**I/ Les principaux textes existants**

Les textes sont de deux ordres : traités ou conventions internationaux d'une part, lois et réglementations internes d'autre part.



## A/ La Constitution

Norme suprême en France, elle indique en particulier la nécessité d'une loi pour ratifier ou approuver les traités qui modifient le territoire (art 53), la soumission de la loi aux traités internationaux (art 55), et la compétence du Président de la République pour négocier, ratifier ou approuver les traités et accords internationaux (art 52).

Elle confie également au «représentant de l'Etat dans les collectivités territoriales» (i.e. le préfet) la charge des intérêts nationaux et du respect des lois, ainsi que la représentation de chacun des membres du gouvernement (art 72). Cette disposition lui confère donc en particulier la responsabilité du respect des traités ou accords concernant la frontière, et l'institue comme représentant local du ministre des affaires étrangères pour les questions relatives aux frontières.

## B/ les traités et accords

Ils sont de deux ordres : multilatéraux, à portée générale, ou bilatéraux, ne concernant que deux pays souverains. Les traités multilatéraux tendent à s'imposer, en cas de contradiction, aux traités bilatéraux. Ainsi la commission internationale des Pyrénées, dans sa 40<sup>ème</sup> session du 2 décembre 2014, a-t-elle eu l'occasion de rappeler que les dispositions particulières des traités bilatéraux conclus entre la France et l'Espagne ne pouvaient déroger aux dispositions contraignantes des directives européennes.

Les traités bilatéraux recouvrent, quant à eux, trois catégories d'accords internationaux:

- **Les accords ou traités généraux comportant attribution de territoires** (exemple : traité des Pyrénées 1659, traité d'Utrecht 1713, traités de Paris des 30 mai 1814 et 20 novembre 1815, traité de Versailles 28 juin 1919). Ils fixent, parmi d'autres dispositions, les principes de la distribution de territoires entre deux Etats. Ils ne rentrent pas dans les détails et nécessitent en général d'être précisés.
- **Les traités ou accords de délimitation** (exemple : traité de Courtrai du 28 mars 1820 avec les Pays-Bas (= aujourd'hui, Belgique et Luxembourg), traités de Bayonne de 1852, 1856, 1868, avec l'Espagne, traité de Paris du 14 août 1925 avec l'Allemagne). Ils précisent, en tant que de besoin, la distribution exacte des territoires et la ligne des frontières. Ils peuvent aussi comporter des indications ou des prescriptions sur le marquage de ces frontières ou sur leur entretien, et peuvent aussi servir à régler

certaines questions frontalières courantes (pâturage, pêche, construction, usage des eaux, vie transfrontalière d'une manière générale).

- **Les conventions ou accords de démarcation ou d'abornement.** Textes autonomes ou additionnels aux précédents, ils servent le plus souvent à déterminer, sur le terrain, l'emplacement exact des repères ou le mode précis de détermination des frontières.

Cette distribution en trois niveaux ou catégories de traités bilatéraux n'est ni systématique ni parfaite. Des conventions supplémentaires viennent parfois préciser ou modifier un point ou un autre de ces traités. Elle est néanmoins assez générale, et pas uniquement entre la France et ses partenaires.

Point particulier, ces textes contiennent assez souvent des dispositions à effet interne, y compris sur l'organisation administrative française (répartition des missions entre autorités administratives et même entre administrations d'Etat, commissions ou associations transfrontalières ou syndicats mixtes de gestion bi-nationaux, propriété, droit de la construction, droit d'usage ou de passage, etc.).

## C/ les textes de droit interne

Excepté les lois et décrets ratifiant ou publiant les actes internationaux, et qui déterminent leur entrée en vigueur dans le droit français, il n'y a pas de texte général déterminant précisément la distribution des compétences entre autorités administratives dans le domaine de la gestion et de la surveillance des frontières. Il faut donc rechercher ailleurs, dans la combinaison des textes propres à chaque administration, la distribution des rôles sur la surveillance et l'entretien des frontières.

La Constitution prévoit que les « ministres responsables » contresignent les actes du Président de la République (art 19), et les « ministres chargés de leur exécution » ceux du Premier ministre (art 22). A contrario, et quand bien même les dits actes distribuent des missions aux préfets, sous-préfets, administrations communales et autres administrations territoriales, *le ministre de l'intérieur ne contresignant ni les décrets de promulgation des traités ni aucun des actes relatifs à ces traités, n'est ni responsable, ni chargé de l'exécution desdits traités, qui incombent au ministre des affaires étrangères* – contresignataire quant à lui -. Cette lecture confirme le principe ci-dessus évoqué selon lequel, *en matière de délimitation et de surveillance de la démarcation des frontières, les préfets agissent comme délégués du ministre des affaires étrangères*. C'est à lui qu'ils doivent donc directement des comptes en la

matière, et non au ministre de l'intérieur qui n'intervient le cas échéant que pour les questions pratiques nécessitées par la coordination et la cohérence de l'action des préfets sur le territoire. Dans la pratique par exemple, la commission internationale des Pyrénées (CIP), invite ainsi directement le ou les préfets ou sous-préfets concernés à participer à celles de ses séances où leur présence est jugée utile. Il peut aussi lui arriver de confier au ministre de l'intérieur la présidence de la commission mixte d'abornement (CMA) qui est, sur la frontière espagnole et sur celle-ci seulement, une sous-commission de la CIP.

### **Le ministère des affaires étrangères**

- Décret n° 2014-400 du 16 avril 2014 relatif aux attributions du ministre des affaires étrangères et du développement international
- Décret n° 2012-1511 du 28 décembre 2012 portant organisation de l'administration centrale du ministère des affaires étrangères
- Décret n°87-389 du 15 juin 1987 relatif à l'organisation des services d'administration centrale (rôle des secrétaires généraux)
- Décret impérial du 25 décembre 1810 sur les attributions du ministre des relations extérieures

Le décret du 16 avril 2014 ne mentionne que les compétences nouvelles du ministère en matière d'action économique extérieure et de tourisme. Les autres attributions ne sont pas expressément énumérées. Seuls les textes relatifs à l'organisation de l'administration centrale du ministère (notamment le décret du 28 décembre 2012) permettent donc de préciser les contours de ces attributions.

Il en ressort que les questions de délimitation, démarcation et surveillance des frontières, sans être expressément mentionnées, peuvent relever en premier lieu du secrétaire général, au titre de sa mission de coordination générale (décret du 15 juin 1987), des directions géographiques concernées par chacune des frontières communes avec la France, mais également de la direction des affaires juridiques (participation à la négociation des traités), de la direction des archives (conservation des traités, élaboration de cartes), ainsi que de la délégation pour l'action extérieure des collectivités territoriales (cohérence entre l'action extérieure de l'Etat et celle des pouvoirs publics locaux, conseil aux collectivités sur leur action extérieure, coopération transfrontalière, conseil aux préfets sur le contrôle de légalité).

A la direction de l'Union européenne, un ambassadeur est spécialement chargé des «Commissions

intergouvernementales, [de] la coopération et [des] questions frontalières», mais sa compétence ne s'étend pas, compte-tenu de son rattachement, aux territoires d'Outre-mer.

Par ailleurs, si le décret impérial de 1810 interdit par principe les relations directes entre administrations françaises et autorités diplomatiques extérieures, certains traités de limites autorisent les relations directes entre autorités locales frontalières limitrophes (préfets, gouverneurs, maires agissant à la fois en tant qu'autorités de l'État et représentant les intérêts locaux de leurs concitoyens, ingénieurs de l'État ou des collectivités locales, géomètres ou représentants du cadastre, délégués à l'abornement, etc.), pour l'exécution des conventions de délimitation.<sup>1</sup>

### **Le ministère de l'intérieur**

- Décret n° 2014-408 du 16 avril 2014 relatif aux attributions du ministre de l'intérieur
- Décret n° 2013-728 du 12 août 2013 portant organisation de l'administration centrale du ministère de l'intérieur et du ministère des outre-mer
- Décret n°87-389 du 15 juin 1987 relatif à l'organisation des services d'administration centrale (rôle des secrétaires généraux)

«Le ministre de l'intérieur prépare et met en œuvre la politique du Gouvernement en matière de sécurité intérieure, de libertés publiques, [...] d'administration territoriale de l'État, [...]. En liaison avec le ministre de la décentralisation, [...] il prépare et met en œuvre la politique du Gouvernement à l'égard des collectivités territoriales» (décret du 16 avril 2014).

Le ministère de l'intérieur peut être impliqué dans la démarcation et la surveillance des limites du territoire national au titre de l'administration du territoire, de la relation avec les collectivités territoriales, de la sécurité intérieure ou des libertés publiques. Peuvent être impliqués à ce titre, le secrétariat général, soit au titre de son rôle de coordination générale, soit au titre de directions spécialisées dans l'administration du territoire (DMAT – direction de la modernisation et de l'administration territoriale), la DGOM (direction générale des outre-mer), la DGCL (la direction générale des

<sup>1</sup> Voir, par exemple, article 11 du *Règlement conclu entre la Belgique et les Pays-Bas pour l'entretien et la conservation des bornes de démarcation plantées sur la frontière des deux pays, en exécution de la convention des limites du 8 août 1843*, qui autorise les contacts entre gouverneurs des provinces limitrophes, ou articles 1, 2 et 3 de l'acte additionnel du 28 mai 1866 avec l'Espagne, ou article 9 de l'accord du 10 mars 1965 avec la Suisse.

collectivités locales), la gendarmerie ou la police (unités générales ou spécialisées comme la police aux frontières).

Mise à part la mission spécifique de la police aux frontières, «chargée de veiller au respect des textes relatifs à la circulation transfrontière et d'assurer, en liaison avec la direction générale des douanes et droits indirects, le contrôle des personnes franchissant les frontières nationales» (art 20 du décret du 12 août 2013), aucune autre direction ou service n'a de compétence directe sur la délimitation et la surveillance de la démarcation des frontières. Néanmoins la mention spécifique des frontières dans ce texte implique nécessairement cette direction, ainsi que l'administration des douanes, dans la connaissance, la surveillance et la démarcation des frontières.

#### **Le ministère de l'écologie, du développement durable et de l'énergie (MEDDE) et son EPA l'IGN**

- Décret n° 2014-401 du 16 avril 2014 relatif aux attributions du ministre de l'écologie, du développement durable et de l'énergie
- Décret n°2008-680 du 9 juillet 2008 portant organisation de l'administration centrale du ministère de l'écologie, de l'énergie, du développement durable et de l'aménagement du territoire

C'est le ministère de la gestion du territoire. Aux frontières, ce ministère peut notamment être impliqué par la protection de la nature, des paysages et des sites, la protection du littoral et de la montagne, la police et la gestion de la pêche en eau douce, la protection, la police et la gestion des eaux, la police des installations classées et de l'exploitation des carrières, et la politique de réduction et de traitement des déchets, la politique d'aménagement de l'espace rural et de la forêt, l'occupation des sols, les transports ferroviaires, guidés et routiers et leur infrastructure.

C'est notamment au titre de sa compétence spéciale en matière d'infrastructures et d'équipement qu'il a été, par le passé, mis à contribution et impliqué dans la mise en place, la surveillance et l'entretien des signes de démarcation des frontières.<sup>2</sup>

Ce ministère est responsable de la mise en œuvre de la directive INSPIRE, (directive 2007/2/CE du Parlement européen et du Conseil du 14 mars 2007 établissant une infrastructure d'information géographique dans la Communauté européenne)

<sup>2</sup>Par exemple, article 46 du Traité de délimitation du 14 août 1925 avec l'Allemagne.

En outre, ce ministère assure la tutelle de l'IGN, intervenant principal de la délimitation et de la démarcation, chargé fonctionnellement du repérage cartographique des frontières. *Il décide à ce titre de la liste des bases de données géographiques et des fonds cartographiques à constituer et mettre à jour par l'IGN.* (décret du 27 octobre 2011).

#### **L'IGN (Institut national de l'information géographique et forestière)**

- Directive 2007/2/CE du Parlement européen et du Conseil du 14 mars 2007 établissant une infrastructure d'information géographique dans la Communauté européenne (INSPIRE)
- Décret n° 2011-1371 du 27 octobre 2011 relatif à l'Institut national de l'information géographique et forestière (IGN)

Héritier des ingénieurs et géographes royaux, puis des services d'État-major chargés de missions à caractère géographique, l'IGN est l'opérateur historique de la délimitation des frontières. Le plus souvent, c'est en pratique un ingénieur ou géographe royal, ou des services géographiques de l'Etat-Major, ou de l'IGN depuis 1940, qui a reçu la charge de la négociation et de la mise en œuvre initiale des traités et conventions de délimitation ou de démarcation des frontières de la France.<sup>3</sup>

«L'institut a pour vocation de *décrire*, d'un point de vue géométrique et physique, *la surface du territoire national et l'occupation de son sol*, [...] ainsi que de faire toutes les représentations appropriées [...].

L'institut est chargé des missions suivantes:

1° Concevoir et *constituer une infrastructure géodésique cohérente avec les systèmes internationaux* [...];

2° Réaliser et renouveler périodiquement la *couverture en imagerie aérienne ou satellitaire de l'ensemble du territoire national*;

<sup>3</sup>Ainsi le commissaire nommé par la France pour la négociation et la conclusion de l'accord de délimitation avec la Prusse, en 1829, est-il un colonel du corps royal des ingénieurs-géographes ; le délégué du commissaire est un chef de bataillon du génie chargé de faire établir des poteaux (de délimitation) par les soins du ou des ingénieurs attachés à la commission. Pour le traité de Courtrai (*Traité de limites entre S. M. le roi de France et S. M. le roi des Pays-Bas ; signé à Courtray, le 28 mars 1820*), c'est aussi un officier du corps royal des ingénieurs géographes qui négocie (le même Etienne-Nicolas Rousseau, qui n'est alors que lieutenant-colonel). En 1955, c'est un ingénieur général de l'IGN qui conduit la délégation française pour l'installation de la commission de délimitation de la frontière franco-brésilienne.



3° Constituer et mettre à jour sur l'ensemble du territoire les bases de données géographiques et les fonds cartographiques dont la liste est fixée par arrêté du ministre chargé du développement durable, notamment le référentiel à grande échelle (RGE). Le référentiel à grande échelle, système intégré d'information géographique couvrant l'ensemble du territoire national, est composé de bases de données numérisées et interopérables décrivant les thèmes, dénominations géographiques, unités administratives, adresses, parcelles cadastrales issues du plan cadastral, réseaux de transport, hydrographie, altitude, occupation des terres, ortho-imagerie et bâtiments mentionnés aux annexes I, II et III de la directive du 14 mars 2007 susvisée. Les modalités de constitution et de mise à jour du référentiel à grande échelle sont fixées par arrêté du ministre chargé du développement durable [...].

10° Mettre en place et administrer le portail INSPIRE de l'Etat pour ce qui concerne les services de consultation prévus à l'article L. 127-4 du code de l'environnement et les services de transformation prévus au même article lorsque ces services sont dédiés aux changements de référentiel de coordonnées [...].

13° Concourir aux travaux menés en France et dans un cadre international en matière d'organisation et de normalisation de l'infrastructure d'information géographique [...].

#### **Article 4**

Pour l'accomplissement de ses missions, l'institut peut:  
1° Contribuer à l'élaboration et à la mise en œuvre d'accords de coopération internationale, notamment dans le cadre de partenariats européens [...].

Il peut apporter son concours, par convention, à des administrations, collectivités et services publics, aux collectivités d'outre-mer pour l'exercice de leurs compétences propres, à des organismes internationaux et à des États étrangers ou, si les services ou travaux présentent un caractère d'intérêt général, à des organismes ou des personnes privés [...].

**Le ministère des finances** (douanes, cadastre, domaine).

- Décret n° 2014-403 du 16 avril 2014 relatif aux attributions du ministre des finances et des comptes publics

« Le ministre des finances et des comptes publics est compétent pour: [...]

- les impôts, le cadastre et la publicité foncière;
- les douanes et droits indirects; [...]

La direction des douanes a notamment vocation à exercer la surveillance de la «frontière terrestre du territoire douanier» et exerce le contrôle aux frontières des personnes et des marchandises (e.g. Art 67 quater du code des douanes – contrôle des personnes dans la zone des 20 km de la frontière terrestre; art 44 rayon des douanes ; art 43 zone de surveillance spéciale le long des frontières dite «rayon des douanes»; art 51 «barrières, bureaux, postes ou clôtures destinés à la garde et à la surveillance des frontières»; article 208 registre spécial du bétail).

L'Administration du cadastre, structure organique de la DGFIP (direction générale des finances publiques - GF3), remplit quant à elle quatre types de missions:

- Foncière: identification des propriétaires et description physique des biens,
- Fiscale: évaluation de tous les biens, détermination des bases d'imposition,
- Technique: confection, maintenance du plan et gestion de l'informatisation du plan,
- Documentaire: diffusion de données littérales et cartographiques.<sup>4</sup>

Cette Administration emploie, pour les besoins de ses missions foncières, un peu moins de 1300 géomètres répartis sur le territoire national et notamment à proximité des frontières. Certains traités internationaux prévoient expressément son implication dans la fonction de démarcation des frontières.<sup>5</sup>

#### **Le ministère de la défense**

S'il est historiquement impliqué au titre des services géographiques ou du génie (voir plus exemples plus haut), ou au titre de sa contribution à la surveillance et à l'entretien des frontières, il ne lui reste plus guère en ce domaine que des compétences résiduelles, avec cependant quelques notables exceptions: ainsi les traités franco-espagnols prévoient-ils la compétence propre du chef de la station navale de Hendaye pour la co-présidence de la CTMB (commission technique mixte de la Bidassoa prévue par la convention sur la pêche de 1959). Il est cependant le seul à pouvoir assurer une présence et une surveillance concrète des signes démarcatifs et de la frontière sur certaines zones difficiles d'accès (Guyane et forêt amazonienne en particulier).

#### **Les représentants de l'Etat sur le territoire**

<sup>4</sup>Étude DS Services non datée (2010?) réalisée pour le secrétariat général dans le cadre du rapprochement SIP - CDIF

<sup>5</sup> Voir par exemple, pour la Belgique, la *convention des limites du 8 août 1843*, article 7: présence des ingénieurs-vérificateurs du cadastre ou de leurs délégués requise lorsque des bornes doivent être remplacées.

Préfets, sous-préfets, maires pour certaines fonctions déléguées, sont les représentants territoriaux de l'État sur le territoire français. Aucun texte interne n'attribue aux préfets la conservation de la démarcation des frontières, sauf à se reporter au texte général de la Constitution qui leur confie la charge des intérêts nationaux. (Constitution article 72). Leur action en matière de surveillance des frontières et de leurs signes démarcatifs relève donc exclusivement, à ce jour, de la mise en œuvre des traités internationaux pour le compte du ministère des affaires étrangères.

Selon le cas, les préfets, les sous-préfets (dans le cas de l'Allemagne), les maires des communes limitrophes (Espagne, Pays-Bas et Luxembourg notamment), leurs délégués et les administrations qu'ils désignent, ont vocation à surveiller ou faire surveiller périodiquement l'état et l'emplacement des signes démarcatifs implantés sur le terrain, et à les faire entretenir, relever ou réparer le cas échéant. Des inspections communes sont le plus souvent prévues à échéances, voire dates régulières (tous les ans le au mois d'août pour les communes limitrophes de l'Espagne, tous les ans le premier mai pour le Luxembourg, tous les 5 ans depuis 1926 avant le mois d'octobre pour l'Allemagne, etc.).

Les mêmes autorités ont également la charge de la surveillance et de l'entretien des éléments physiques formant frontière (chemins mitoyens par exemple).

Un tableau détaille en annexe 1 les dispositions propres à chaque frontière en l'état actuel du droit positif.

### **Les collectivités locales (régions – départements – communes)**

En dehors des fonctions dévolues aux maires, ci-dessus rappelées, aucun texte interne spécifique n'évoque le rôle des collectivités territoriales en la matière<sup>6</sup>. Ces collectivités demeurent cependant compétentes a minima pour les infrastructures limitrophes de leur ressort (routes, chemins, bâtiments) ou pour la gestion des ressources communes transfrontalières (eaux potables et usagées, pêche notamment).

### **II/ La nécessité d'une mise en ordre**

Certains États ont clairement établi les responsabilités administratives en matière de démarcation et de

<sup>6</sup> Sauf à considérer que l'expression « autorité administrative supérieure », parfois employée, puisse désigner une collectivité territoriale aujourd'hui ou demain. En l'état actuel du droit, il n'existe pas de hiérarchie entre collectivités territoriales.

surveillance des frontières. La loi luxembourgeoise, par exemple, assigne clairement cette mission à l'ACT, l'administration du cadastre et de de la topographie : L'article 2.c) de la loi organique du 25 juillet 2002 réserve à cette administration tous les travaux ayant trait aux limites d'Etat du Grand-Duché de Luxembourg, des cantons, des communes et des sections. Dans d'autres États, comme en France, l'habitude et la coutume le disputent à la loi et au règlement.

La combinaison des textes existants permet cependant d'établir comme suit les principales missions et responsabilités:

### **1/ Détermination et démarcation initiale des limites d'Etat :**

Cette responsabilité incombe au ministre des affaires étrangères, qui négocie les traités et contresigne seul les décrets de promulgation. Elle inclut la détermination des limites sur le terrain, sur les cartes ou représentations figurées, la mise en place le cas échéant de repères ou signes démarcatifs et leur description. Ces signes démarcatifs peuvent prendre toute forme adaptée et agréée par les deux États concernés: bornes en granite ou dans un autre matériau durable, poteaux en chêne, croix gravées et peintes sur des rochers, etc.

Les travaux qui y sont liés, dits « d'abornement », ont pour objet de permettre de repérer le tracé de la frontière avec certitude. On dit, et on écrit dans les traités, - expression plusieurs fois employée - que « L'abornement doit être établi et maintenu de manière que le tracé soit bien déterminé et puisse être repéré facilement sur toute son étendue », ou encore, que les parties s'engagent à « maintenir la frontière dans un état tel qu'elle puisse être suivie d'une extrémité à l'autre » (traité de délimitation de 1825 avec l'Allemagne). Ils comprennent la fabrication, le marquage, la pose des signes démarcatifs, mais aussi le dégagement des zones frontières permettant leur parcours (défrichage d'une bande de 2 à 5 mètres de part et d'autre par exemple).

Pour ces opérations initiales, le ministère des affaires étrangères peut s'appuyer notamment sur les spécialistes que sont les ingénieurs de l'IGN, soit comme négociateurs, soit comme techniciens chargés de traduire les décisions et les ententes politiques sur le terrain. Cette responsabilité initiale pourrait trouver à s'appliquer prochainement avec l'Andorre, avec qui un traité de délimitation, prévoyant la mise en place d'un bornage, est en cours de ratification.

S'il le souhaite, le ministère des affaires étrangères peut s'appuyer sur tel ou tel fonctionnaire du ministère de l'intérieur pour participer au processus des négociations: la commission mixte dite d'abornement ou CMA est ainsi chargée de rendre compte de ses travaux à la commission internationale des Pyrénées, et rien ne s'oppose à ce qu'elle propose à celle-ci, au terme de ses débats techniques, telle solution consensuelle pour le règlement d'une difficulté particulière. Cette commission est traditionnellement co-présidée, du côté français, par un haut-fonctionnaire du ministère de l'intérieur. Les CMA – commissions mixtes d'abornement – créées, avec ou sans traité de limites, pour le suivi et la surveillance des autres frontières, n'ont pas formellement reçu cette mission de la part du ministre des affaires étrangères (Italie, Suisse, Brésil sont les commissions existantes, et il pourrait en être créé une autre avec la Belgique qui en a exprimé le souhait). Cependant l'accord du 25 mai 1983 signé avec l'Italie prévoit que lorsque les décisions de la CMA ne peuvent faire l'objet d'un consensus, elle en rend compte au ministère des affaires étrangères. Cette commission est présidée, du côté italien, par un diplomate professionnel délégué par son propre ministère des affaires étrangères.

De cette responsabilité initiale de détermination des lignes, relève la mise en œuvre de la directive INSPIRE sur les frontières: s'il appartient bien au MEDDE et à l'IGN de mettre en œuvre cette directive, lorsqu'il s'agit de fixer la ligne frontière, cette mission s'effectue sous le contrôle du ministère des affaires étrangères, garant du respect des traités et conventions internationales.

## **2/ Surveillance, entretien, restauration des limites d'Etat et de leurs signes démarcatifs**

Si la responsabilité de ces missions relève également du ministre des affaires étrangères, seul ministre appelé à contresigner les décrets de promulgation des traités, sa mise en œuvre est le plus souvent dans la main des préfets et des administrations dont celui-ci coordonne l'action, de leurs délégués (le plus souvent dénommés «délégués à l'abornement»), des communes, voire des propriétaires concernés.

Sur certaines frontières – Suisse, Italie, Espagne notamment, les fonctions des délégués à l'abornement (ou «agents responsables» pour la frontière franco-italienne) sont déterminées avec précision. Un tableau présenté en annexe résume les principales dispositions applicables lorsqu'elles sont précisées.

Les délégués actuellement désignés par les préfets relèvent de diverses administrations (douanes, cadastre, équipement, police aux frontières, enseignement supérieur

et recherche notamment), caractérisant selon le cas la logique fonctionnelle ou géographique<sup>7</sup> privilégiée. On pourrait concevoir de même d'étendre le champ des administrations impliquées à ce titre à l'ONF (zones frontalières fortement boisées), la gendarmerie (zones de haute montagne où celle-ci dispose d'unités spécialisées et mobiles), ou l'armée de terre (zones de forêt amazonienne où seules se rendent les unités spécialisées de l'armée de terre).

Les budgets dévolus aux travaux impliqués par la reconstruction ou la restauration des signes démarcatifs sont centralisés au ministère de l'intérieur, qui exerce ainsi une coordination de l'action des préfets pour l'exécution de cette fonction. Cette coordination est actuellement effectuée par la cellule de coopération internationale du cabinet du secrétaire général. L'IGN apporte un appui scientifique et technique à cette cellule.

## **III/ La nécessité d'une mise en ordre – les pistes à explorer**

L'organisation des administrations françaises n'a pas donné de bons résultats dans un passé récent: Les secteurs dévolus à la France sont en général en déshérence depuis plusieurs années (pour autant que les rapports de visite continuent à être rédigés et transmis), les travaux d'entretien des bornes frontières, voire de simple reconnaissance, sont effectués dans les seuls secteurs relevant des pays frontaliers, aucun programme n'est établi, les budgets consacrés sont en forte diminution. Certains secteurs n'ont pas ou n'ont plus même de délégué à l'abornement.

Par ailleurs, la mise en œuvre de la directive INSPIRE impose aux États membres de l'Union européenne, lorsque cela est possible, de fournir des données communes aux frontières pour 2018.

Bien que ni le MEDDE ni l'IGN n'aient inscrit la question des frontières au titre de leurs priorités, l'impasse ne pourra être faite totalement sur ce dossier auquel sont intéressés les autres pays-membres. Il en résulte qu'à la fin de 2018, une part importante, voire la majeure partie des lignes frontières sera identifiée de manière commune et conjointe, à l'aide de données cartographiques et de coordonnées GPS de précision métrique. Le repérage traditionnel et multiséculaire des frontières à l'aide de bornes n'aura plus, sur ces secteurs, qu'un intérêt symbolique, historique ou culturel, et ne constituera plus une véritable contrainte pratique.

<sup>7</sup> Fonction notamment de l'implantation des organes administratifs mobilisables.

Le moment est donc venu de revoir le dispositif administratif et juridique qui régit la question de la démarcation des frontières.

5 hypothèses de travail peuvent être retenues : une refonte ou une adaptation des traités, une loi interne, un décret, un arrêté du Premier ministre, et/ou une simple circulaire. Elles ne sont pas exclusives l'une de l'autre, et le travail peut être initié parallèlement, cumulativement, successivement ou alternativement sur chacune d'entre elles.

### **Hypothèse 1: mise à jour des traités**

Cette hypothèse est la plus complexe à mettre en œuvre, compte-tenu du formalisme à respecter et de la multiplicité des acteurs à impliquer. Il ne faut pas l'écarter d'emblée cependant. Les voisins de la France, non plus qu'elle-même, n'ont d'intérêt particulier à continuer à surveiller, restaurer ou réimplanter des bornes ou d'autres signes démarcatifs qui n'auraient plus de raison d'être que culturelle ou folklorique. Ce sont des coûts et des procédures administratives que tout gouvernement ou Administration verrait favorablement diminuer ou disparaître.

Par ailleurs, il n'est nul besoin de reprendre le détail des traités ou conventions de limites conclus avec chacun de nos voisins. Une formule unique suffirait, précisant que partout où les deux États auront arrêté des limites communes de précision métrique et déterminables par GPS ou tout autre système commun de positionnement satellitaire, les dispositions antérieures relatives à la démarcation et à l'entretien des frontières sont caduques.

### **Hypothèse 2: loi interne**

Une loi pourrait contribuer à traiter certains aspects incertains ou imparfaits de ce sujet, et notamment:

#### **1. Dévolution patrimoniale des signes démarcatifs:**

actuellement, ces signes relèvent du patrimoine de l'Etat (cas des bornes ou poteaux situés sur le territoire français exclusivement) ou des deux Etats voisins (cas des bornes ou poteaux situés sur la ligne frontière même qu'ils déterminent). Le transfert de ces signes au patrimoine des communes sur le territoire desquels elles se trouvent permettrait d'en assurer un suivi de proximité, tout en accompagnant ou en anticipant un futur changement du statut juridique international de ces signes. Dans l'hypothèse d'une modification des traités dans le sens évoqué en effet, l'intérêt juridique et fonctionnel de ces signes s'effacerait - au fur et à mesure de la détermination

commune des lignes par d'autres moyens techniques - au profit d'un intérêt patrimonial, culturel et historique.

**2. D'autres sujets éventuels,** comme le rôle des préfets, des collectivités territoriales et des propriétaires en matière de surveillance et d'entretien des lignes frontières et de leurs signes démarcatifs (actuellement ces compétences sont dispersées entre plusieurs traités qui établissent des règles différentes et inapplicables ou inappliquées).

Certains textes de niveau législatif pourraient aussi être modifiés à cette occasion, si la discussion interministérielle venait à mettre en évidence cette nécessité (code général des impôts, code des douanes, code de la sécurité intérieure, code de la défense, code de la construction et de l'habitation, code civil éventuellement etc.). Il peut s'agir par exemple de l'imposition de servitudes publiques communes sur les terrains se trouvant à proximité de la ligne frontière, ou de l'introduction dans la loi des prescriptions non aedificandi au droit des lignes frontières, ou de pouvoirs de contrôle de certaines administrations sur la zone frontière (par exemple, pouvoirs de constatation d'infractions spécifiques par des militaires de l'armée de terre dans certaines zones difficiles d'accès aux autres administrations).

### **Hypothèse 3: décret**

Du décret relève la répartition des missions entre administrations. Le recensement des textes effectué plus haut montre que la compétence administrative sur la surveillance et l'entretien des signes démarcatifs de la ligne frontière n'est pas clairement établie. Un décret pourrait y pourvoir, en complément ou en substitution de textes de meilleur niveau. Son principal intérêt serait d'identifier une administration chef de file sur ce dossier, qui pourrait être l'IGN ou le cadastre.

### **Hypothèse 4: arrêté du Premier ministre**

Le constat actuel, d'une faible implication administrative et d'un dossier en déshérence sur certaines zones, pourrait plaider en faveur de la désignation d'un coordonnateur temporaire sur chaque zone frontière. Un préfet de région, ou un préfet de département, pourrait être désigné sur chaque frontière (Espagne, Italie, Suisse, Allemagne, Luxembourg, Belgique) par arrêté du Premier ministre pour coordonner le suivi et la mise à jour du dossier à l'horizon 2018 (date de mise en œuvre théorique de l'annexe II de la directive INSPIRE qui concerne les frontières).



### Hypothèse 5 : circulaire

Parallèlement ou indépendamment des textes de niveau supérieur évoqués plus haut, une circulaire ministérielle (intérieur) ou interministérielle (Premier ministre ou ministère des affaires étrangères) pourrait rappeler l'état actuel du droit (essentiellement le contenu des deux premières parties et les annexes de la présente note) et

donner des indications plus directives pour la désignation et le contrôle de l'activité des délégués à l'abornement (notamment, unification de l'administration d'appartenance des délégués à l'abornement, ou au contraire spécification de l'administration la plus adaptée selon les zones comme suggéré plus haut).

### Références:

#### Textes (références partielles - voir tableau en annexe pour plus de détails)

1. **Constitution française** (1958, modifiée)  
Traités de paix (e.g.: traité des Pyrénées 1659, traité d'Utrecht 1713, traités de Paris des 30 mai 1814 et 20 novembre 1815, traité de Versailles 28 juin 1919)
2. **Traité de délimitation:** (e.g.: traité de Courtrai du 28 mars 1820 avec les Pays-Bas (= aujourd'hui, Belgique et Luxembourg), traités de Bayonne de 1852, 1856, 1868, avec l'Espagne, traité de Paris du 14 août 1925 avec l'Allemagne, *Traité de limites entre S. M. le roi de France et S. M. le roi des Pays-Bas; signé à Courtray, le 28 mars 1820*, traité de limites et abornement entre Lorraine et Bourgogne 1703)
3. **Conventions d'abornement:** (ex: France - Italie 1983, France- Suisse 1965, France -Espagne 1973, accord de délimitation avec la Prusse 1829, etc.)  
**Directive européenne:**
4. Directive 2007/2/CE du Parlement européen et du Conseil du 14 mars 2007 établissant une infrastructure d'information géographique dans la Communauté européenne (INSPIRE)  
**Textes de définition des compétences administratives:**
5. Décret n° 2014-400 du 16 avril 2014 relatif aux attributions du ministre des affaires étrangères et du développement international
6. Décret n° 2012-1511 du 28 décembre 2012 portant organisation de l'administration centrale du ministère des affaires étrangères
7. Décret n°87-389 du 15 juin 1987 relatif à l'organisation des services d'administration centrale (rôle des secrétaires généraux)
8. Décret impérial du 25 décembre 1810 sur les attributions du ministre des relations extérieures
9. Décret n° 2014-408 du 16 avril 2014 relatif aux attributions du ministre de l'intérieur
10. Décret n° 2013-728 du 12 août 2013 portant organisation de l'administration centrale du ministère de l'intérieur et du ministère des outre-mer
11. Décret n°87-389 du 15 juin 1987 relatif à l'organisation des services d'administration centrale (rôle des secrétaires généraux)
12. Décret n° 2014-401 du 16 avril 2014 relatif aux attributions du ministre de l'écologie, du développement durable et de l'énergie
13. Décret n°2008-680 du 9 juillet 2008 portant organisation de l'administration centrale du ministère de l'écologie, de l'énergie, du développement durable et de l'aménagement du territoire
14. Décret n° 2011-1371 du 27 octobre 2011 relatif à l'Institut national de l'information géographique et forestière (IGN)
15. Décret n° 2014-403 du 16 avril 2014 relatif aux attributions du ministre des finances et des comptes publics

#### Articles et autres sources (quelques exemples inter alia):

1. Journal des opérations de la Commission d'abornement de la frontière Quàng-Tây, pendant la campagne 1893-1894
2. Les frontières de la France (Gérard Lang, 2007, in « projet label – le code officiel géographique»)
3. Article « abornement » - Encyclopédie universelle –
4. The maintenance of bordary pillars and boundary lines in France (Michel Bacchus, IGN, Rome, 2004).
5. France – Brésil : un pont géopolitique, par Hervé THERY, le 20 juin 2011.

**Principaux extraits des textes passés ou en vigueur et relevant, selon le cas:**

- 1/ la qualité et l'origine administrative des autorités ayant négocié ou mis en œuvre les conventions d'abornement et traités de limites (y compris, à titre d'exemple ou de marque de la tradition, pour des traités caducs);
- 2/ l'objet des opérations d'abornement;
- 3/ la désignation des autorités et/ou agents chargés de la surveillance et de l'entretien des signes de démarcation des frontières;
- 4/ la périodicité des visites, réunions et rapports;
- 5/ le rôle des délégués à l'abornement ou agents responsables lorsque celui-ci est précisé;
- 6/ autres dispositions pratiques éventuelles.

<b>Pays</b>	<b>Source</b>	<b>Opérations</b>	<b>Compétence</b>	<b>Périodicité</b>	<b>Autres/textes</b>
<b>Espagne</b>	Décret n° 75-321 du 28 avril 1975 portant publication de l'accord entre la France et l'Espagne relatif à l'abornement et à l'entretien de la frontière du 8 février 1973	«L'abornement doit être établi et maintenu de manière que le tracé soit bien déterminé et puisse être repéré facilement sur toute son étendue».  NDR: texte adopté «Sur proposition de la «commission internationale des Pyrénées»	<b>Délégués permanents à l'abornement</b> (article 6 détaille les fonctions) <b>Préfets</b>  NDR : le texte est quasi identique à celui- de l'accord de 1965 avec la Suisse., ou de celui de 1983 avec l'Italie, à la différence notable près que sur la frontière suisse, l'autorité compétente pour recevoir les rapports n'est pas le préfet mais une administration centrale.	PV des délégués adressés annuellement aux préfets et gouverneurs compétents	Art. 6 L'abornement et l'entretien de la frontière sont confiés à des délégués permanents à l'abornement dont les tâches sont les suivantes: a. Assurer la surveillance et le contrôle des bornes et autres signes de démarcation de la frontière. Il est entendu cependant que chaque Etat a la faculté de faire assurer la surveillance et le contrôle des bornes et autres signes de démarcation par des services ou des organes administratifs autres que les délégués permanents; b. Constater et communiquer aux autorités dont ils relèvent tous faits contraires aux dispositions prévues aux art. 1 , 4 et 5 du présent accord;c. Dresser d'un commun accord un état annuel des travaux à effectuer pour l'entretien ou le remplacement des bornes et autres signes de démarcation; cet état doit comporter notamment un devis des frais relatifs à ces travaux; d. Faire exécuter, après accord des autorités visées à l'art. 10, les travaux incombant à leur Etat ou à effectuer par l'un des deux Etats pour le compte de l'autre. Cependant, lorsqu'il s'agit de travaux ayant un caractère d'urgence, les délégués permanents à l'abornement peuvent prendre directement les mesures qu'ils jugent opportunes; e. Etablir un rapport annuel sur l'exécution des travaux d'entretien ou de remplacement des bornes et autres signes de démarcation; ce rapport doit indiquer les frais relatifs aux travaux exécutés. Les opérations prévues au présent article feront l'objet d'un procès-verbal, établi en deux exemplaires originaux, signé par les délégués compétents des deux Etats; ce procès-verbal sera adressé aux Préfets et aux Gouverneurs compétents ; copie en sera donnée à la commission mixte prévue à l'article 10.
<b>Espagne</b>	Décret n° 75-321 du 28 avril 1975 portant publication de l'accord entre la France et l'Espagne relatif à l'abornement et à l'entretien de la frontière du 8 février 1973		<b>Commission mixte</b> de 4 délégués de chaque pays (article 10 détaille les compétences)	Réunion annuelle alternativement en France et en Espagne	Président des commissions mixtes pas déterminé dans chaque pays. Minint? préfet? MAE?
<b>Espagne</b>	Décret du 27 juillet 1985 Traité de délimitation du 2 décembre 1856		Commission internationale des Pyrénées, « sous-commission de l'abornement et de la		

Pays	Source	Opérations	Compétence	Périodicité	Autres/textes
	Convention additionnelle d'abornement du 29 décembre 1858 modifiée Lettre de 1999		circulation transfrontalière» (1985); idem, «sous-commission de l'abornement et de la délimitation physique des frontières» (1999)		
Espagne	ACTE ADDITIONNEL AUX TRAITÉS DE DÉLIMITATION CONCLUS LES 2 DÉCEMBRE 1856, 14 AVRIL 1862 ET 26 MAI 1866 ENTRE L'Espagne ET LA FRANCE	«Dispositions applicables sur toute la frontière dans l'un et l'autre pays, et relatives à la conservation de l'abornement »	<b>Municipalités</b> nomment des délégués, sur ordre des préfets et gouverneurs (« <b>Autorités supérieures administratives des provinces et départements limitrophes</b> »)	<b>Tous les ans au mois d'août</b>	<i>Article I.</i> Tous les ans, au mois d'août, les Autorités supérieures administratives des provinces et départements limitrophes se mettront d'accord pour ordonner aux Municipalités intéressées de nommer des délégués qui devront, dans chaque commune, et de concert avec ceux du territoire contigu de l'autre pays, faire sans délai une reconnaissance complète de l'abornement de leur frontière et en adresser, de part et d'autre, le rapport officiel auxdites Autorités supérieures pour l'effet que de droit.
Espagne	ACTE ADDITIONNEL AUX TRAITÉS DE DÉLIMITATION CONCLUS LES 2 DÉCEMBRE 1856, 14 AVRIL 1862 ET 26 MAI 1866 ENTRE L'Espagne ET LA FRANCE	Veiller à ce qu'aucun dommage ne soit porté aux repères, constater ceux qui auraient été commis, en rechercher les auteurs et les signaler enfin à l'Autorité compétente tout ce qui se rapporte à cet objet.	<b>Préfets, chefs des divers services de l'Administration publique, préposés municipaux</b>	Permanent	<i>Article II.</i> Sans préjudice des prescriptions de l'article précédent, et dans le but d'assurer la conservation des repères tout le long de la délimitation internationale plus efficacement que jusqu'à ce jour, les Gouverneurs civils et les Préfets s'entendront, chacun dans sa province ou son département, avec les chefs des divers services de l'Administration publique, pour qu'ils ordonnent à leurs agents employés à la frontière de veiller, de bonne intelligence avec les préposés municipaux qui en seront expressément et plus spécialement chargés, à ce qu'aucun dommage ne soit porté auxdits repères, de constater ceux qui auraient été commis, d'en rechercher les ailleurs et de signaler enfin à l'Autorité compétente tout ce qui se rapporte à cet objet.
Espagne	ACTE ADDITIONNEL AUX TRAITÉS DE DÉLIMITATION CONCLUS LES 2 DÉCEMBRE 1856, 14 AVRIL 1862 ET 26 MAI 1866 ENTRE L'Espagne ET LA FRANCE	Rétablissement des repères détruits ou enlevés.	<b>Préfets ingénieurs auteurs des dommages</b>		<i>Article III.</i> Les Gouverneurs civils et les Préfets conviendront ensemble du rétablissement des repères détruits ou enlevés, les frais de l'opération devant être partagés également par les deux Gouvernements, sauf les vacations des Ingénieurs, lesquelles seront acquittées respectivement dans chaque pays, à moins qu'il n'ait été convenu qu'on ne déléguerait qu'un seul Ingénieur dont les vacations devront alors tomber à la charge des deux pays. Si les auteurs du dommage venaient à être découverts, ils en seraient personnellement responsables.
Espagne	Acte de délimitation du 11 juillet 1868 (appliquant traité de Bayonne de 1866)		Commission internationale d'ingénieurs instituée par article 18 traité de Bayonne de 1866 Annexe 4 CANAL DE PUYERDA, article 10 «commission administrative internationale» fera respecter les règlements.		
Espagne	Traité de Bayonne de 1866		«Commission internationale d'ingénieurs» instituée par article 18		
Espagne	Traité des limites de 1783	« Fixer les points les plus convenables pour	Maréchal de camp aux armées du roy, commissaire du roy		Texte caduc, valeur historique

Pays	Source	Opérations	Compétence	Périodicité	Autres/textes
		<i>une démarcation claire et permanente»</i>			
Espagne	Traité des limites de 1783	<i>Bornage de la ligne de démarcation convenue</i>	Délégués des communautés et autres parties intéressées, en présence des notaires royaux des deux nations		Texte caduc, valeur historique.
Suisse	Accord entre le Conseil fédéral et le Gouvernement de la République Française concernant l'abornement et l'entretien de la frontière. Conclu le 10 mars 1965	«L'abornement doit être établi et maintenu de manière que le tracé soit bien déterminé et puisse être repéré facilement sur toute son étendue.»			
Suisse	1999 rapport assemblée nationale	Rectification franco-suisse	Compétence DATAP (mère de la DMAT au ministère de l'intérieur) évoquée		
Suisse	Accord entre le Conseil fédéral et le Gouvernement de la République Française concernant l'abornement et l'entretien de la frontière. Conclu le 10 mars 1965	abornement et entretien de la frontière a. Assurer la surveillance et le contrôle des bornes et autres signes de démarcation de la frontière; b. Constater et communiquer aux autorités dont ils relèvent tous faits contraires aux dispositions prévues aux art. 1, 4 et 5 du présent accord; c. Dresser d'un commun accord un état annuel des travaux à effectuer; d. Faire exécuter, les travaux; e. Etablir un rapport annuel sur l'exécution des travaux.	<b>Délégués permanents à l'abornement possible services ou organes administratifs autres que les délégués permanents</b>	Rapport et états annuels	Art. 6 L'abornement et l'entretien de la frontière sont confiés à des délégués permanents à l'abornement dont les tâches sont les suivantes: a. Assurer la surveillance et le contrôle des bornes et autres signes de démarcation de la frontière. Il est entendu cependant que chaque Etat a la faculté de faire assurer la surveillance et le contrôle des bornes et autres signes de démarcation par des services ou des organes administratifs autres que les délégués permanents; b. Constater et communiquer aux autorités dont ils relèvent tous faits contraires aux dispositions prévues aux art. 1, 4 et 5 du présent accord; c. Dresser d'un commun accord un état annuel des travaux à effectuer pour l'entretien ou le remplacement des bornes et autres signes de démarcation; cet état doit comporter notamment un devis des frais relatifs à ces travaux; d. Faire exécuter, après accord des autorités visées à l'art. 9, les travaux incombant à leur Etat ou à effectuer par l'un des deux Etats pour le compte de l'autre. Cependant, lorsqu'il s'agit de travaux ayant un caractère d'urgence, les délégués permanents à l'abornement peuvent prendre des mesures de leur propre chef; e. Etablir un rapport annuel sur l'exécution des travaux d'entretien ou de remplacement des bornes et autres signes de démarcation; ce rapport doit indiquer les frais relatifs aux travaux exécutés. Les opérations prévues au présent article feront l'objet d'un procès-verbal, établi en deux exemplaires originaux, signé par les délégués compétents des deux Etats; ce procès-verbal sera adressé aux fonctionnaires visés à l'art. 9.
Suisse	Accord entre le Conseil fédéral et le Gouvernement de la République Française concernant l'abornement et l'entretien de la frontière.	Correspondre directement entre eux en vue de l'application du présent accord, en assurer le bon fonctionnement, coordonner l'activité des	<b>Fonctionnaires compétents en matière d'abornement et relevant des administrations centrales</b> (nдр: cette définition exclut curieusement,	<b>Au moins annuelle</b>	Art. 9 Les fonctionnaires compétents en matière d'abornement et relevant des administrations centrales des deux Etats pourront correspondre directement entre eux en vue de l'application du présent accord afin d'en assurer le bon fonctionnement et de coordonner l'activité des délégués permanents. Ils se réuniront à cet effet au moins une fois par an dans le but de: a. Mettre au point, d'un commun accord et sur la base des



Pays	Source	Opérations	Compétence	Périodicité	Autres/textes
	Conclu le 10 mars 1965	délégués permanents. a) Mettre au point, un plan de répartition des travaux des meilleures conditions économiques; b. Se prononcer sur les rapports établis par les délégués permanents c. Adopter toutes les mesures nécessaires pour que les fiches et plans frontière soient établis sans retard et tenus à jour recevoir les rapports des délégués.	théoriquement, les préfets du dispositif, sauf à les désigner comme délégués).		rapports établis par les délégués permanents, conformément à l'art. 6 c , un plan de répartition des travaux à effectuer par lesdits délégués. Cette répartition devra être opérée de telle sorte que les travaux incombant à chacun des deux Etats entraînent autant que possible des dépenses d'importance égale. Les travaux pourront néanmoins être groupés et exécutés par l'un des deux Etats pour le compte de l'autre lorsque ce regroupement répondra à des meilleures conditions économiques; b. Se prononcer sur les rapports établis par les délégués permanents concernant les travaux exécutés conformément à l'art. 6 et prendre les dispositions pour assurer le cas échéant la compensation des dépenses; c. Adopter toutes les mesures nécessaires pour que les fiches et plans frontière – constituant la documentation relative à la description et à la délimitation du tracé – soient établis sans retard et tenus à jour d'une manière rationnelle. Les deux Gouvernements se feront connaître réciproquement les noms des fonctionnaires visés à l'al. 1 du présent article, ainsi que de celui auquel devront être adressés par les délégués permanents les procès-verbaux visés au dernier alinéa de l'art. 6. Les réunions tenues par les fonctionnaires visés au présent article feront l'objet de procès-verbaux, établis en deux exemplaires originaux, à l'intention des deux Gouvernements.
Suisse/ Neuchâtel	PV du plantement de bornes du 8 avril 1767	Plantement de bornes	1° Subdélégué de l'intendant de Franche-comté aux départements des Salins , 2° Commissaire du Roy		
Belgique	Note verbale du 16 avril 2014	Avaliser les changements et évolutions, notamment ceux de 2009 accordés entre cadastres Fr et Be mais sans PV.	Commission permanente de conservation et d'entretien des frontières compétence service fédéral des finances / administration générale de la documentation patrimoniale côté Belge	Réunion une fois par an	Proposition de création faite par la Belgique, réponse de principe favorable fin 2014, IGN et ministres indiqués comme interlocuteurs côté français
Belgique/ pays-bas	<i>Règlement conclu entre la Belgique et les Pays-Bas pour l'entretien et la conservation des bornes de démarcation plantées sur la frontière des deux pays, en exécution de la convention des limites du 8 août 1843</i>	Vérification rétablissements ou changements	«Commissaires délégués par leurs gouvernements respectifs, pour régler le mode d'entretien et de conservation des signes distinctifs de démarcation entre les deux États»  autorités locales des communes limitrophes  rétablissements ou changements en présence maires et ingénieurs du	Vérification annuelle au printemps par les communes, date fixée par entente entre gouverneurs pour réunion des fonctionnaires	«ART. 1er. — Les autorités locales des communes limitrophes feront vérifier, chaque année, à l'époque du printemps, les bornes placées sur la limite, afin de s'assurer si elles sont en bon état. En cas de détérioration OU de déplacement, il en sera dressé procès-verbal en double expédition.»ART. 6. — Les frais de réparation ou de renouvellement de bornes tomberont, par parts égales, à la charge des deux États, quelle que soit, d'ailleurs, la cause des accidents survenus.ART. 7. — Lorsque des bornes devront être remplacées, les gouverneurs des deux États requerront la présence simultanée sur les lieux des bourgmestres des communes intéressées, ainsi que celle des ingénieurs-vérificateurs du cadastre ou de leurs délégués, afin que le placement soit conforme en tous points aux indications des procès verbaux descriptifs de

Pays	Source	Opérations	Compétence	Périodicité	Autres/textes
			cadastre. les gouverneurs s'entendent directement entre eux.		délimitation et des cartes de limite déposés dans les archives des communes. A cet effet, les gouverneurs s'entendront pour fixer l'époque de la réunion des fonctionnaires susmentionnés.» ART. 11. — Les gouverneurs des provinces limitrophes des deux États entreront directement en relations entre eux pour tout ce qui concerne les prescriptions du présent règlement.
<b>Pays-Bas (Belgique) /France</b>	<i>Traité de limites entre S. M. le roi de France et S. M. le roi des Pays-Bas ; signé à Courtray, le 28 mars 1820.</i>	PV de limites; Etat des bornes à planter	<b>Commissaires appartiennent au Corps royal des ingénieurs géographes</b> Commission de délimitation		ARTICLE PREMIER. — Afin de déterminer d'une manière précise et invariable la ligne de limite entre les deux États, il a été dressé des procès-verbaux descriptifs du cours de cette limite, lesquels ont été formés d'après le levé exact de toute la frontière, fait contradictoirement par les ingénieurs et géomètres nommés de part et d'autre, et sous la direction du sieur Étienne-Nicolas Rousseau, lieutenant-colonel au corps royal des ingénieurs-géographes, chevalier de l'ordre royal et militaire de S'-Louis et de l'ordre royal de la Légion d'honneur, pour la France, et du sieur Jean-Egbert Van Gorkuin, lieutenant-colonel de l'état-major du quartier-maître général, chevalier de l'ordre militaire de Guillaume, pour les Pays-Bas, et tous deux membres de la commission de délimitation ; lesdits procès-verbaux se trouvent, de plus, accompagnés de croquis visuels, ou plans figuratifs, dressés sur une grande échelle, pour servir à leur explication en cas de besoin, et des états des bornes à planter. Cette limite, qui s'étend depuis la mer du Nord jusqu'à la Moselle, a été divisée en six sections ; les procès-verbaux, ainsi que les feuilles de levés de chaque section, ont été arrêtés et signés par les commissaires,
<b>Pays-Bas (Belgique) /France</b>	<i>Traité de limites entre S. M. le roi de France et S. M. le roi des Pays-Bas ; signé à Courtray, le 28 mars 1820.</i>	<b>ENTRETIEN DES CHEMINS MITOYENS</b>	<b>Gouverneurs des provinces et préfets des départements limitrophes</b>		ART. 68. — Les chemins dits <i>mitoyens</i> sont à l'usage des deux États, sans qu'il soit attenté aux droits de propriété des particuliers à qui ces chemins mitoyens pourraient appartenir. Aucun des deux royaumes ne peut exercer sur ces chemins d'acte de souveraineté, si ce n'est ceux nécessaires pour prévenir ou arrêter les délits ou crimes qui nuiraient à la liberté et sûreté du passage. Les gouverneurs des provinces et préfets des départements limitrophes veilleront au bon entretien de ces chemins.
<b>Pays-Bas (Belgique) /France</b>	<i>Traité de limites entre S. M. le roi de France et S. M. le roi des Pays-Bas ; signé à Courtray, le 28 mars 1820.</i>	Abornement PRISE DE POSSESSION DES TERRAINS ECHANGES OU CEDES.	Exécuté par service d'État-major de l'armée ou deux membres des commissions de délimitation . présence des <b>délégués des préfets de département</b> pour la prise de possession des terrains échangés ou cédés.		ART. 71. — Pour l'exécution du présent traité, les sieurs DE CASTRES, colonel au corps royal de l'état-major, chevalier de l'ordre royal et militaire de S'-Louis, de l'ordre royal de la Légion d'honneur et de l'ordre militaire de Maximilien de Bavière, pour la France; et BEHR, colonel de l'état-major général, chevalier de l'ordre militaire de Guillaume, pour les Pays-Bas, (ou deux membres des commissions respectives de délimitation , seront chargés de faire exécuter l'abornement de la frontière conformément à ce qui a été arrêté à l'égard du matériel de l'abornement par le plan annexé au procès-verbal de la 4e section et d'après ce qui a été indiqué, à cet égard, tant dans les procès-verbaux de délimitation des six sections que dans les tableaux qui y sont annexés; ils procéderont, en outre, en présence des délégués des préfets des départements ( pour la

Pays	Source	Opérations	Compétence	Périodicité	Autres/textes
					France) et des gouverneurs des provinces (pour les Pays-Bas), à la prise de possession des parties de terre échangées ou cédées; en même temps ils feront connaître les concessions de passages réciproquement accordés, et tiendront des procès-verbaux de toutes leurs opérations pour lesquelles ils suivront l'instruction arrêtée par les commissaires et jointe au protocole de leur dernière séance; ils adresseront le rapport de leurs opérations à leurs commissaires respectifs, qui leur feront donner l'assistance ou les renseignements dont ils pourront avoir besoin.
<b>Pays-Bas (Belgique)</b> /France	<i>Procès-verbal de la délimitation entre les Pays-Bas et la France, comprenant la partie entre la mer du Nord et la Lys et portant règlement de la navigation de cette rivière. Du 28 mars 1828</i>				
<b>Allemagne</b>	<i>Traité de délimitation du 14 août 1925</i>	Art 35 : « maintenir la frontière dans un état tel qu'elle puisse être suivie d'une extrémité à l'autre »			En cas de divergence entre carte et texte, c'est en principe la carte qui l'emporte.
<b>Allemagne</b>	<i>Traité de délimitation du 14 août 1925</i>	Art 33 : surveillance et entretien des frontières	<b>Préfets et sous-préfets des départements limitrophes</b> , chacun en ce qui concerne sa division administrative	<b>Visite commune tous les 5 ans avant octobre (art 46) à partir de 1926</b>	
<b>Allemagne</b>	<i>Traité de délimitation du 14 août 1925</i>	Visites	Art 46 Participation des administrations des ponts et chaussées, des voies ferrées, des eaux et forêts aux visites, éventuellement des propriétaires concernés.	Visite commune tous les 5 ans avant octobre (art 46) à partir de 1926	
<b>Prusse</b>	<i>Convention du 23 octobre 1829 dite « convention définitive entre la France et la Prusse pour régler les limites des États »</i>	Établissement initial des poteaux de délimitation	Le commissaire français est un certain «Rousseau, colonel au corps royal des ingénieurs-géographes», le délégué du commissaire est un chef de bataillon du génie chargé de faire établir des poteaux (de délimitation) par les soins du ou des ingénieurs attachés à la commission.		
<b>Luxembourg</b>	<i>Traité de limites entre S. M. le roi de France et S. M. le roi des Pays-Bas;</i>	Visitent les bornes; rendent compte au Travaux.	<b>Autorités communales</b> des deux pays <b>préfet de Meurthe-et-</b>	<b>Tous les ans le premier mai</b>	Pas de mention d'un délégué du préfet.

Pays	Source	Opérations	Compétence	Périodicité	Autres/textes
	<i>signé à Courtray, le 28 mars 1820. convention d'entretien et conservation des bornes frontalières du 18 octobre 1853</i>		<b>Moselle</b> (côté France) Entente directe entre AG du Luxembourg et préfet pour adjudications ou urgences.	faits <b>tous les trois ans</b> sauf urgence ;	
<b>Brésil</b>	<i>PV d'installation du 13 septembre 1955</i>	Installation	<b>Commission mixte franco-brésilienne de délimitation des frontières</b> président délégation française : Armand Rumeau, ingénieur général de l'IGN ; membres : le sous-directeur chargé des affaires politiques ; un ingénieur-géographe ; secrétaire le sous-préfet de l'Inini	n.c . Dix réunions depuis 1955, la dernière en 2011 à Belem (Brésil)	
<b>Italie</b>	<i>Décret du 24 octobre 1986 publiant accord du 26 mai 1983 relatif à l'entretien des bornes et de la frontière</i>	<i>«L'abornement de la frontière [...] doit être précisé et maintenu de manière que le tracé soit bien déterminé et puisse être repéré facilement sur toute son étendue».</i>	Commission mixte de quatre membres de part et d'autres, qui peut s'adjoindre des experts. Rend compte au ministère des affaires étrangères s'il n'y a pas accord unanime.	<b>Une fois par an au moins</b>	
<b>Italie</b>	<i>Décret du 24 octobre 1986 publiant accord du 26 mai 1983 relatif à l'entretien des bornes et de la frontière</i>	<b>Entretien des bornes et démarcation matérielle de la frontière</b> réception des compte-rendus et PV.	<b>«Agents responsables »</b> <b>Commission mixte, préfets</b>	Rapport annuel	Art. 10 L'entretien des bornes et la démarcation matérielle de la frontière sont confiés à des agents responsables dont les tâches sont les suivantes: a. Assurer la surveillance et le contrôle des bornes et autres signes de démarcation de la frontière., constater et communiquer aux autorités dont ils relèvent tous faits contraires aux dispositions prévues aux art. 1 , 2, 4 et 5 du présent Accord. Il est entendu cependant que chaque Etat a la faculté de faire assurer la surveillance et le contrôle des bornes et autres signes de démarcation par des services ou des organes administratifs autres que les agents visés au présent article ; b. vérifier, si cela est nécessaire, la position des bornes frontalières en vue de les replacer, éventuellement, à l'emplacement exact ; maintenir lisibles les indications ds différentes bornes ; réparer ou remplacer les bornes endommagées et rétablir celles qui ont disparu ; construire d'éventuelles protections pour les bornes en péril ; tenir à jour la documentation de chaque borne frontalière ; c. Dresser d'un commun accord un état annuel des travaux à effectuer pour l'entretien ou le remplacement des bornes et autres signes de démarcation; cet état doit comporter notamment un devis des frais relatifs à ces travaux; d. Faire exécuter, après accord des autorités visées à l'art. 7, les travaux incombant à leur Etat ou à effectuer par l'un des deux Etats pour le compte de l'autre. Cependant, lorsqu'il s'agit de travaux ayant manifestement un caractère d'urgence, les agents responsables visés au présent article peuvent prendre, de leur propre chef, les mesures conservatoires nécessaires, à charge d'en rendre



Pays	Source	Opérations	Compétence	Périodicité	Autres/textes
					<p>compte à la Commission mixte; e. Etablir un rapport annuel sur l'exécution des travaux d'entretien ou de remplacement des bornes et autres signes de démarcation; ce rapport doit indiquer les frais relatifs aux travaux exécutés. Les opérations prévues au présent article feront l'objet d'un procès-verbal, établi en deux exemplaires originaux, l'un en français, l'autre en italien, signé par les agents responsables des deux Etats; Ce procès-verbal sera adressé à la Commission mixte et aux autorités nationales compétentes (pour la France, aux commissaires de la République territorialement compétents, pour l'Italie à la Délégation italienne pour l'entretien de la frontière).</p>

**Source:** élaboré par l'auteur sur la base de documents originaux.



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**Abstract**

*The purpose of the article is to investigate the theory and essence of the concept of "sustainability of the agricultural sector in the region," the interpretation of the terms "economic sustainability of the region" and "economic sustainability of agricultural sector in the region," improving the category of "development sustainability of the agricultural sector in the region", singling out its levels, development of its management model, defining the state's functions in ensuring the development sustainability of the agricultural sector, forming of a functional model of management of the sustainability and development of the agricultural sphere of the region based on the indicative planning.*

*Nowadays there is no single generally accepted definition of "sustainability development of the agricultural branch (sector)" which is caused by underdevelopment and is contradictory of sustainable development concepts, lack of information for the quantitative measurement of the sustainability degree.*

*To develop a management model of the sustainable development of the agricultural sector in the region it is necessary to define the interpretation of the concept of "economic sustainability of the region" and "economic sustainability of the agricultural sector." Considering the research conducted by individual scholars, accept that: the economic sustainability of the region — is the ability of its economy after some disturbance (changes in external or internal factors of development) to quickly return to a state not worse than the previous, keep it arbitrarily long time, and improve its subject to positive changes in the economy of the region; the economic sustainability of the agrarian sector — it is the ability to withstand external and internal influences and save stable equilibrium for a sufficient time.*

*The search for new directions and ways of agricultural activities development, which reduce its negative impact on the environment, defined the emergence of a new interpretation of agricultural production sustainability as production, based on the quality of food, quality of life and environmental safety, preservation of conditions for sustainable food ensuring of humanity in the long term. In this general ecological approach to the concept of "sustainability of agrarian sector development of the region" distinguish the following categories: ecological, productive, economic and social. It is appropriate to supplement them in an intellectual and innovative component.*

*The experience of Ukrainian regions shows that one of the most effective instruments of state regulation of the agrarian sector development of the region could be indicative planning, methodology, technology and organization of which should be built in view of the market conditions.*

*The development of indicative plan of agrarian sector development of the region should be to link to the approved concept of regional development on the basis of which is formed a strategic development plan. It should be based on forecasting, which is rightly regarded as part of the indicative planning. For building an effective system of sustainability management of agrarian sector development of the region, ensuring its sustainable growth it is necessary to rationally combine the actions of all subjects of management of agrarian relations — namely government regulation, market self-organization and management of agrarian sphere.*

**Keywords:** stability, region, agriculture, management, government, development.

In conditions of increasing urbanization in many countries, including Ukraine, the problem of ensuring sustainable development of the agricultural sector becomes more actual. The most pressing issues of sustainable and integrated development singled out in agrarian regions of the country where this form of territorial organization of population and production prevails. Considering that the priority of the national policy of Ukraine is providing the population with a wide range of high quality food in sufficient quantity, the scientific problematic development of the agricultural sector is very important. Its solution is largely dependent on the state and conditions of functioning of agriculture, which has undergone a significant transformation, changes as a result carried out during the 1990s reforms, despite this the state continues to remain in a difficult financial and economic situation.

The current stage of the national economic development is characterized by the intensification of the process. The transition to a social-market type of regional policy, focused on accelerating the pace and improving the quality of economic growth. Regional specialties of the farmer's production and strengthening social and economic importance of the agricultural sector to encourage the necessity of development and justification, methodological positions aimed at solving multifaceted and different issues of ensuring sustainable development of the agricultural sector at the level of regional structures.

Therefore, the purpose of the article is to investigate the theory and essence of the concept of "sustainability of the agricultural sector in the region," the interpretation of the terms "economic sustainability of the region" and "economic sustainability of agricultural sector in the region," improving the category of "development sustainability of the agricultural sector in the region", singling out its levels, development of its management model, defining the state's functions in ensuring the development sustainability of the agricultural sector, forming of a functional model of management of the sustainability and development of the agricultural sphere of the region based on the indicative planning.

Problems of sustainable development in the agricultural sector are devoted to the classic works of F.O. Batalin, M.I. Vavilov, S.U. Witte, V.V. Dokuchaeva, M.D. Kondratiev, Y.S. Paskhavera, O.F. Fortunatova, B.S. Yastremskyi. Pledged by them conceptual positions of sustainability and stability were further developed in researches of V.M. Afanasyev, I.P.Boiko, I.B. Zahaitov, P.D. Polovinkin, A.I. Manel and others. The problems of the scientific bases formation of sustainable development of the

agricultural sector also was reflected in the works of many Ukrainian scientists and economists: V.V. Vernadskyi, B.M. Danylyshyna, M.I. Dolishnii, S.I. Doroguntsov, G.B. Ivanytska, O.L. Kashenko, M.F. Kropyvka, G.M. Kaletnik, L.V. Melnyk, E.V. Mishenina, M.N. Palamarchuk, S.A. Podolynskyi, A.M. Trehobchuk, G.V. Cherevko and others.

The issue of reproduction and rational use of resource potential in the agrarian sphere investigated P.P. Borschevskyi, I.I. Lukinov, A.G. Mazur, O.V. Moroz, S.V. Martynov, O.S. Onyschenko, G.M. Pidlisetskyi, P.T. Sabluk, O.V. Skydan, P.I. Trynko, M.M. Fedorov, O.M. Tsarenko, A.V. Chupis, V.V. Shyian, O.G. Shpykulyak, V.V. Yurchushun. At the same time issues of ensuring sustainable development of the agricultural sector at the level of a separate region is still insufficiently investigated and also are very sharp.

In ensuring of the economic development the sustainability of the agricultural sector plays a special role. "Food production - Karl Marx wrote "is the first condition of living of direct producers and all production in general" [1]. Moreover, this process should be continuous and steadily growing, not only because people cannot stop consumption of produce, but also the need to increase the volume and improve the quality of produced products because of the growing demand and population. Solving this problem is very actual; because a phenomenon in the history of humanity – Starvation is a constant problem in the world.

The analysis of macroeconomic indicators of Ukraine's economy shows that currently its agricultural sector is probably the only one that actually pulls the whole economy of the country. According to the IMF, in 2013 Ukraine's GDP per capita was US \$ 3862, which is lower than in Albania or Mongolia. Overall, it shows a critical state of the national economy, especially in light of the events that took place at the beginning of 2014 that led to the outflow of investment capital from Ukraine, devaluation of national currency, reduction of real incomes and termination of production capacity because of supply contracts cancelled, increasing inflationary processes and so on. At the same time in 2013 the domestic agro-industrial complex accounted for the largest share in total export performance: Ukraine exported agri-food products worth US \$ 17 billion., while import increased by almost 9% and amounted to US \$8.2 billion; 2/3 agro-food exports goods provided 5 types of products: corn - 13%, wheat - 11% rape seed - 7%, sunflower oil - 19% and sunflower meal - 5%.

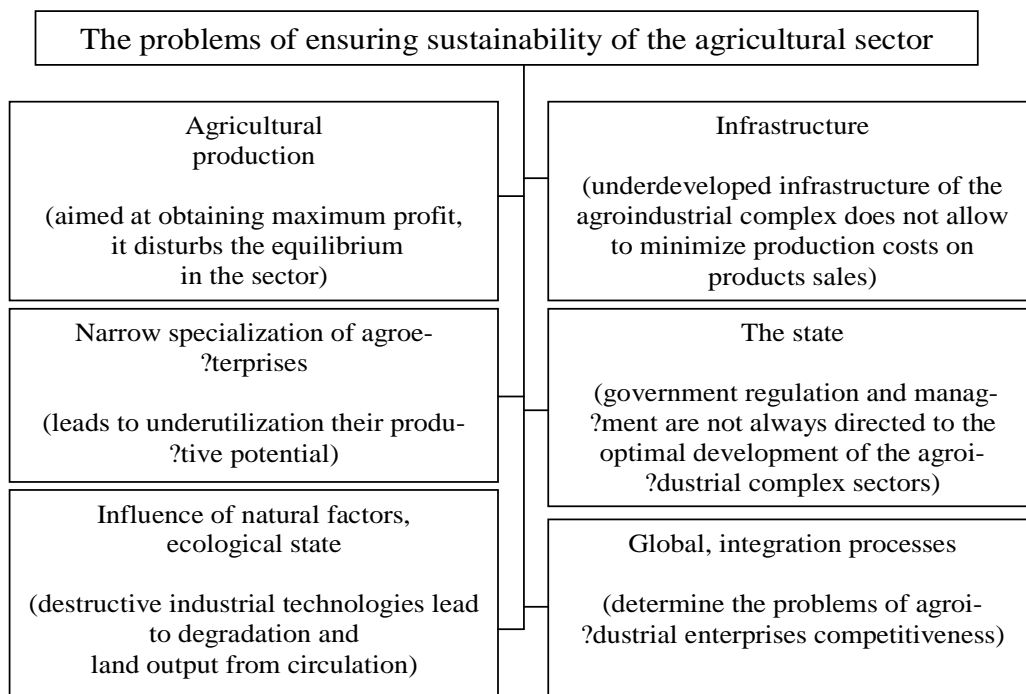
According to the State Information and Analytical Center of External Commodity Markets Monitoring, priority direction for Ukraine in the structure of export, trade turnover in 2013 was the CIS countries, where about 36% of goods were exported; 10% less products went to the EU. Among the leading importers of Ukrainian products are also countries of the near and Far East, where buy, respectively, 18% and 8% were exported goods. Approximately the same structure of imports to Ukraine, its largest volume (37%) - from the CIS, then the EU (35%), Far East (15%) and Near East (3%).

Negative in this process is that the exported goods have low added value. It is appropriate to note that in the years 1660-1685 in England at the time of King Charles II a law was passed forbidding export of raw materials because after processing it abroad it was

then imported into the country at higher prices. Ukraine also has to diversify its export structure of agro-food products and to increase export of goods with high added value. As a result, the importance of the agricultural sector in the economy will grow.

The domestic agrarian sector will become "a locomotive" for the modernization of state and the source of the national economy through the multiplier effect of its various spheres (food industry, machinery, etc.).

The problem of ensuring the sustainable development of the agricultural sector is not new, but its implementation directions under conditions of modern economic relations are significantly different (Picture 1).



**Picture 1. The problems of ensuring sustainability of the agricultural sector**

Firstly, agriculture continues to be a major food producer and a major source of human activity. Any violation of its development leads to destabilization and imbalance of production and consumption. Structural changes in the sector under conditions of transformational economy is mainly focused on the production of the products which provides the maximum profit that in the agricultural sector is not always justified in terms of sustainability of production, ensuring food security in society and preserving soil fertility.

Secondly, market conditions determine the processes

of narrow specialization of agricultural enterprises it means production that gives the highest profit.

However, changeable competition and world market conditions align prices and the profitability of producers which eventually leads to underutilization of production potential of the agricultural sector, decline in production and sustainability, aggravation of social problems [2].

Thirdly, environmental factors significantly affect all processes in agriculture. Their partial regulation by melioration, chemicalization, mechanization, seed

production organization on a scientific-substantiated level requires large investments, which agricultural producers and the state have an insufficient amount of investment capital, causing instability in the main produce.

Fourth, an important condition of the agricultural sector sustainability serves developed infrastructure of agro-industrial complex and agricultural market first of all. With the transition to a market economy its formation and normal functioning is complicated, which increases the costs for promoting products to consumers, causes significant price variations, which also generates instability in agricultural development.

Fifth, the sustainability of agricultural production and interrelated sectors of the economy largely depends on the regulatory role of the state. But its impact at this time is insufficient. It disrupts the normal course of the reproduction process, and damage from instability in the agricultural sector significantly exceeds the losses in other sectors.

Sixth, the threat of sustainability of Ukraine's agricultural sector under conditions of world integration processes determined by the inability of most companies to produce products that meet international standards.

All of this enhances the attention of modern researchers [3; 4] to the problem of production sustainability and agricultural development. At the same time basic approaches to the disclosure of this concept and development measures that will ensure dynamic development are determined primarily by the need to overcome crisis state of agricultural production. A retrospective review of theoretical aspects of the agriculture sustainability problem shows that over many years it is among the most urgent for the state. However, despite the significant number of scientific publications on improving the sustainability of production in general and agriculture in particular, it should be noted that the sustainability of the agricultural sector development is a new and still not enough disclosed category in terms of both the essence and research methodology.

Nowadays there is no single generally accepted definition of "sustainability development of the agricultural branch (sector)" which is caused by underdevelopment and is contradictory of sustainable development concepts, lack of information for the quantitative measurement of the sustainability degree. Some authors under sustainability, of farming in particular, understand the ability to withstand negative influences, mainly - elemental forces of nature, prevent or weaken decline in production [5]; the

second – consider it as sustainability of average level of dynamic row [6]; the third – interpret it as sustainability of evolution, development of investigated phenomenon [7]. However, only by this concept of sustainability is not confined. Sustainability of agrarian development - is not only possible to overcome the adverse effects for agriculture, but the ability to use them with the greatest effect.

To develop a management model of the sustainable development of the agricultural sector in the region it is necessary to define the interpretation of the concept of "economic sustainability of the region" and "economic sustainability of the agricultural sector." Considering the research conducted by individual scholars [8; 9], accept that:

- the economic sustainability of the region - is the ability of its economy after some disturbance (changes in external or internal factors of development) to quickly return to a state not worse than the previous, keep it arbitrarily long time, and improve its subject to positive changes in the economy of the region;
- the economic sustainability of the agrarian sector - it is the ability to withstand external and internal influences and save stable equilibrium for a sufficient time.

The transition to the sustainable development of the regional agrarian sector — it's quite a long process that requires solving complex economic tasks. With promotion towards the sustainable development the very idea of it will change and clarify, people's needs - will rationalize according to existing constraints, and the means for meeting those needs - will improve. Therefore, implementation of the principles of sustainable development should be considered in stages. Moreover, only for a relatively early stage some programs and forecast documents can be developed.

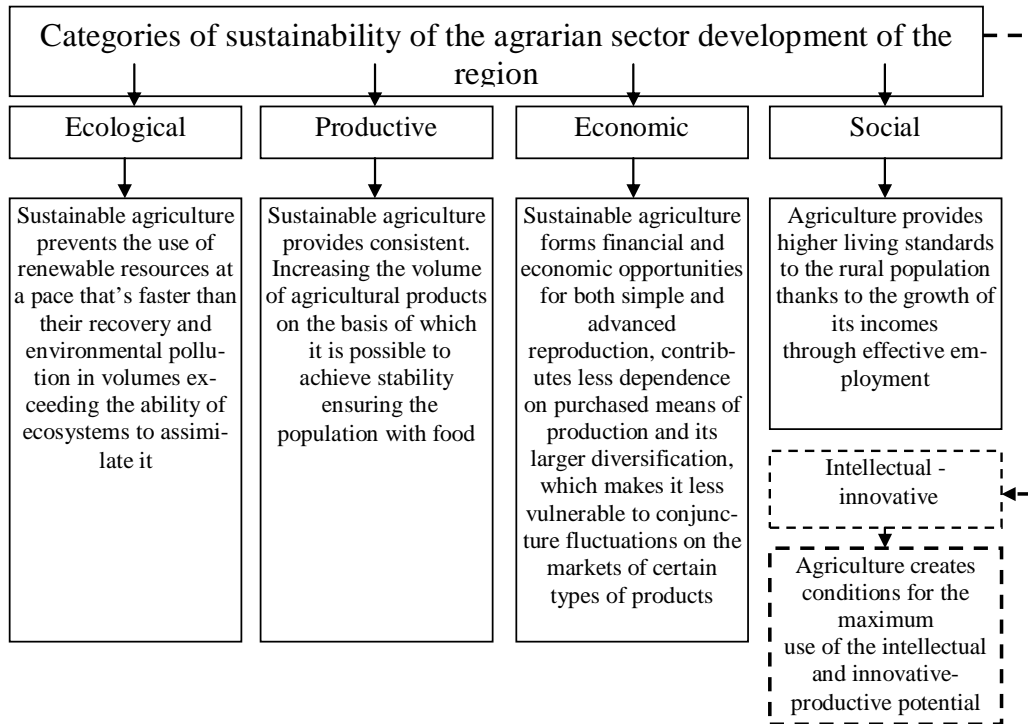
The region is, on the one side, a complex socio-economic system, internal environment of which are economic, social and ecological subsystems, on the other — it is a subsystem of a higher hierarchical level.

A variety of approaches to the definition of sustainability in the agricultural sector in the region are caused by the multifaceted problem, extreme complexity of the object and a set of tasks solved by this sector as a whole and its components in particular. The search for new directions and ways of agricultural activities development, which reduce its negative impact on the environment, defined the emergence of



a new interpretation of agricultural production sustainability as production, based on the quality of food, quality of life and environmental safety, preservation of conditions for sustainable food ensuring of humanity in the long term. In this general ecological approach to the concept of "sustainability

of agrarian sector development of the region" distinguish the following categories: ecological, productive, economic and social. It is appropriate to supplement them in an intellectual and innovative component [9,10] (Picture 2).



**Picture 2. The concept of categories “sustainability of agrarian sector development of the region”**

There is no clear definition of "intellectual potential". Scientists consider “intellectual potential” as unity of creative and individual labor potentials of employees, which characterize their ability to the production of material goods using materialization of knowledge and their adequacy of management requirements.

Innovative potential is the totality of all kinds of informational, intellectual, technological, and scientific-production resources, including technical documentation, patents, licenses, business plans, and innovative programs and so on. Choice of one or another development strategy depends on the state of innovative potential; innovative potential in this case can be considered as "degree of readiness" of the economic system to fulfill the goals of development.

The system of sustainability of the agricultural sector of regions is structuring the element of the economic system at the national level and the main link in the complex of measures to ensure the population has food.

Considering agriculture (agrarian sector of economy) as the sole economic, ecological and social system that has certain goals. Structurally united features and functional relationships, in the modern period importance is given not just to the actual growth of agricultural production, but also to increase its economic efficiency which provides sustainability in general. Thus, increasing the volume of livestock production without radically enhance its profitability (which is much lower than in crop production) which can lead to aggravation of reproduction problems in the agrarian sector. The same time, efficiency gains, which is not accompanied by an increase in production, insecure strengthening of the country's dependence on food imports and may cause growth of unemployment in rural areas and the expansion of poverty.

The approach to achieving social goals of sustainable development of the agrarian sector requires an explanation. The fact is that improvement in living conditions of agricultural workers extends beyond the agrarian sector and largely connected with a complex

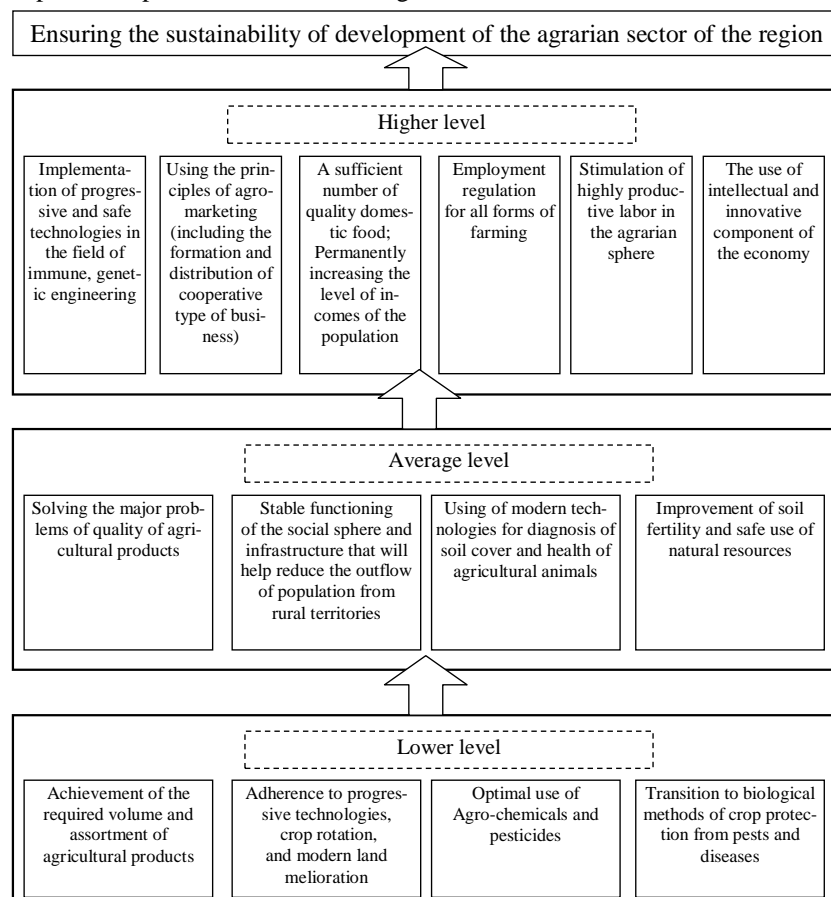
development of rural areas (regions). Therefore, there is a clear interdependence of sustainability in the agricultural sector and level of rural development. The close relationship of agriculture development with rural development as a social and territorial subsystem of society, where the sector dominates, it's the most important component of the research methodology of agrarian sphere sustainability problems. This approach was declared at the session of FAO in Rome in 1996, in the materials was said: "The main task of the program of sustainable agriculture and development is a stable raising the level of food production and ensuring food security".

Thus, the essence of a systematic approach to the interpretation of sustainability of the agrarian sector development of the region is a balanced combination of productive, economic, social and ecological goals. Using a systematic approach and relying on identified essential features of the investigated category, sustainability of development of the regional agrarian sector is a dynamic transition process of the system to a qualitatively new innovation level, aimed at ensuring economically grounded, ecologically safe, socially oriented expanded reproduction, at increasing

the level and improving the quality of rural population living under the influence of internal and external environment factors. The process of transition of agrarian sector to sustainable development involves the implementation at several levels (Picture 3) [11].

The first, lower, the level of development involves scientific compliance of crop rotation, the use of windbreaks and modern land melioration, optimally conditioned observance saving technologies in crop growing, forming productive herd, transition to biological methods of crop protection from pests, reducing the use of agrochemicals and pesticides.

The second, average, the level of agriculture sustainability involves, along with characteristics above, a number of additional measures — improving soil fertility and natural resources of rural agrarian landscapes, the use of advanced diagnostic soil cover analysis and the health of farm animals, constant monitoring of pests and diseases of plants and animals.



Picture 3. The levels of sustainability of the agricultural sphere of the region

On the third, higher level, attention should be given to the formation and organization of farms which produce ecologically clean crop and livestock production, focused on implementing the most progressive, safe and non-waste technologies in the field of immune, genetic engineering and remote sensing of agricultural complex objects.

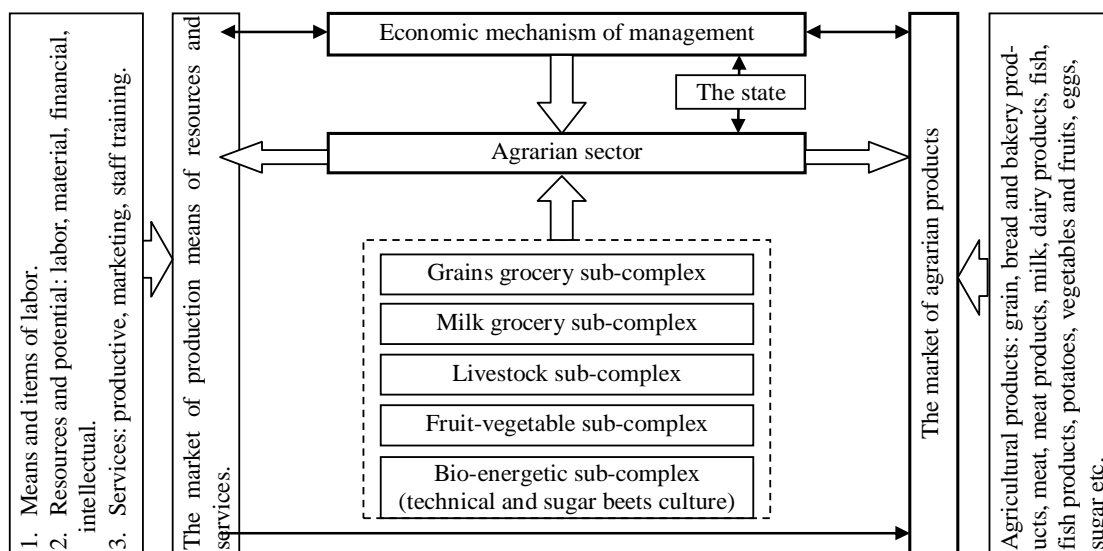
Particular importance should be given to practical use of the agro-marketing principles and entrepreneurship. It is also envisaged that complex measures of mitigation and prevention of unemployment in rural areas, employment regulation in the context of all types of business entity, creating conditions for increasing incentives for highly productive labor in agriculture production, including through the extensive development of different types of farms in non-agricultural production. Ultimately, this will facilitate sustainability of development in the agricultural sector in terms of improving the economic, social and labor sphere in rural areas, increasing incomes and social protection of the rural population.

To ensure the sustainability of development of the agrarian sector great importance has to be given to the management of processes which occur in its system forming elements. Indeed, any existing organizational structure must comply with an adequate system of state management, because no country can be without it. In our country such a management body is the

Ministry of Agrarian Policy and Food of Ukraine and its regional divisions.

For the implementation of management impacts on the agricultural sector of the region to apply a general cybernetic method is appropriate, proposed by the founder of cybernetics Norbert Wiener [12], this had been successfully used in agriculture by A.F. Chudnovskyi [13]. Under this approach for management of sustainability of the agrarian sector development it's expedient at first to determine: input and output information flows of agrarian economic system of the region; the principles of construction and functioning of the management model of sustainability of agrarian economic system development of the region; the objective function, types and tasks of management of sustainability of the agrarian economic system development of the region.

Considering the sustainability of the agricultural sector development of the region exactly from these positions, it can be submitted as a system formed by interrelated components: processes of production and recycling of agricultural products, the market of production means and services, the market of agricultural products and foodstuffs and the current economic mechanism of management (Picture 4). The relationship of these components forms a so-called sustainability management model of agrarian sector development of the region.



Picture 4. Sustainability management model of agrarian sphere development of the region

The entrance of the sustainability management model of agrarian sector development of the region, on the one hand, there are cash flows, consumer demand for agricultural products and foodstuffs, on the other – offer of economic entities two main types of commodity groups: resources and services and also means and items of labor. Resources and services are presented by a qualified labor force, productive and technical services (repair and maintenance of agricultural machinery, transportation, electricity, gas supply, etc.) staff training, scientific support, advertising and information services and so on.

The second commodity group includes: industrial buildings, agricultural machinery and equipment, vehicles and etc., and also fertilizers, combined feed, fuel, basic and auxiliary materials and so on.

The output of the model is on the one hand, the aggregate supply of agricultural enterprises, storing and recycling enterprises, and also personal peasant households in the form of direct agricultural foodstuffs and commodity products of food industry, and on the other - their demand for means of production and labor items, a variety of resources and services. The balance of aggregate demand and aggregate supply of business entities with an aggregate consumer demand for foodstuffs determines the equilibrium prices of the means of production, resources and services and also of certain kinds of food products.

Central place in the proposed sustainability management model of the agrarian sector development of the region occupies the market of agricultural products and foodstuffs; the market of production means, resources and services has auxiliary importance. Indeed, the sale of means and items of work, material, labor, financial and other resources, provision of different services, only create conditions for sustainability of the agricultural sector development, production growth and agricultural products sales.

It should be noted that the proposed model of sustainability of agrarian production development of the region has more theoretical and methodological than practical significance. Even in countries with developed economy sustainability of agrarian sector development as the country in general, well as separate region cannot be a self-regulating system. State and regions retain quite a wide range of regulatory function:

- regulation of land operations and control of the structure of land use;
- stimulation of expedient concentration of agricultural production, its horizontal and vertical integration

with related industries;

- regimentation of legal, organizational and economic conditions of rural producers activity;
- control of the ratio of market prices for means of production and agricultural products;
- control of the dynamics of production costs in agriculture, observance of established by the state standards of product quality;
- fixation of market prices for agricultural products, fluctuation permission their lower limit to the level established by law or governmental resolutions;
- fines for failure to comply with the State established standards of product quality, quotas for its production and rules of land use;
- economic stimulation of new forms organization of farming, social security and creating normal conditions for the life of the villagers;
- using quotas for products sales as an instrument of planning and regulation of government procurement of agricultural products;
- domestic and foreign economic protectionism in relation to rural producers;
- payment of subsidies for exports, what will cover losses of rural producers due to the lower world prices compared to the prices in the domestic market (without breaking the principles of the WTO);
- long- and medium-term planning the development of agricultural production and agrarian science under the scheme "planning - budgeting".

In agreement with the authors [14; 15; 16; 17, 18], suggesting that government regulation of sustainability of the agrarian sector development must have a program-targeted character and include a set of legal, economic, organizational and administrative measures with necessary resources, an effective mechanism for implementing the goal and corresponding administrative apparatus that would provide direct and feedback relations of the State (regions) with producers and consumers of agrarian products. The State and regions should, on the one hand, guarantee agricultural producers such profitability that would be sufficient for expanded reproduction and not destroy at the same time the market mechanisms of self-regulation, and on the other - to implement measures for protecting the interests of consumers and the population in purchasing at affordable prices and requiring set quality food products.

The experience of Ukrainian regions shows that one of the most effective instruments of state regulation of the agrarian sector development of the region could be indicative planning, methodology, technology and organization of which should be built in view of the

market conditions. Indicative planning system must meet the following requirements:

- be formed on the existing powers of regional executive authorities;
- to contain information of interest to entrepreneurs and potential investors given the direction of social and economic development of the region, the benefits of the economic policy of regional authorities, the factors that determine the investment climate, etc.
- to have heredity and connection with the long-term strategy of socio-economic development.

The development of indicative plan of agrarian sector development of the region should be to link to the approved concept of regional development on the basis of which is formed a strategic development plan. It should be based on forecasting, which is rightly regarded as part of the indicative planning. For building an effective system of sustainability management of agrarian sector development of the region, ensuring its sustainable growth it is necessary to rationally combine the actions of all subjects of management of agrarian relations — namely government regulation, market self-organization and management of agrarian sphere.

The interaction of these three elements is implemented in such a way: the state regulates and stimulates the development of agricultural sector, contributes to the

organization of branch government; market self-regulation forms the economic interests of the agricultural market subjects; branch government "complements" the state, indicates the agrarian business its goals, direction and development prospects.

To improve management of the agrarian sector development of the region, it is necessary to ensure a reasonable balance of economic interests between the state, market self-regulation and branch government, to introduce public control over the activities of state and local government. Studies conducted in Vinnitsa region, convincingly proved the importance of public control and civil initiatives for adoption of substantiated management decisions.

It should be emphasized that the importance of the agrarian sector for economic development requires a targeted effort, not only by the state but also by private business. An important instrument in this case could be to develop forecasting scenarios of agricultural development in the long term, the use of which will allow agricultural producers better orientation in the agricultural market situation and to efficiently implement modern achievements of science and practice in its activities thus contributing to the improvement of production, social and economic components of sustainability of the agrarian sector development.

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## STATE AID FOR SECTORS OF NATIONAL ECONOMY UNDER GLOBAL CRISES

### **Abstract**

*The research analyzes state aid in the European Union and Ukraine for sectors of national economy under global crises. The world economy is expected to downgrade its growth in 2015. Therefore, the majority of the countries are facing challenges caused by the growth slowdown in developed countries. Despite the fact that many authors criticize Keynesianism for violation the «Laissez-faire» principle, the market is powerless to cope with the global crisis consequences. The paper proves that only effective state aid is the key solution to the global crises problems.*

*The study considers the rules, principals, procedures and basic documents for regulating state aid the European Union and Ukraine. The research provides different state aid statistics for Ukraine and Member States of the European Union. The main part in the EU state aid is horizontal support namely funding measures to achieve common EU objectives (e.g. promotion of innovation, environmental protection, support for SMEs, employment promotion, etc.). The structure of state aid in the EU forms the greatest amount allocated to grants and providing tax benefits. However, in Ukraine the types of horizontal aid, which introduced in the European Union, are in small quantities. The focus of state aid in Ukraine is different programmes for sectoral support. The main sectors that receive state aid in Ukraine are agriculture and coal industries.*

*The paper underlines that sectoral state aid should be provided on competitive conditions only for those sectors, which need this support most of all (e.g., enterprises, which can create new economic sectors or provide a significant number of jobs, especially in depressed areas). At the same time, distorting effect on the market mechanism need to be less than the positive effect of the aid. The research identifies current global trends of capital flow. The international expertise in the field is used to come up with recommendations to the state aid for national economy.*

**Keywords:** global crises, state aid, national economy, investment protectionism.

### **Influence of global crises on national economies development**

Globalization is the driving force of the modernity. It contributes greater specialization of certain regions and creates opportunities for development of beneficial economic relations between countries. On the other hand, due to openness of national economies, globalization causes global crises, which affect the majority of national economies.

Nowadays the world economy is facing difficulties. In January 2015, IMF downgraded assessment of the world

economy growth in 2015 from 3.8% (projected in October 2014) to 3.5%. Despite the decrease in the world oil prices, which is a positive factor for many countries, IMF expects deceleration of the growth, which explained by the investment weakening. The most strong crisis effect refers to economies, which are export-oriented, characterized by large and open financial sectors, have large foreign currency debts, budget deficits, etc. Therefore, the majority of the countries are facing challenges caused by the growth slowdown in developed countries. As a result, all the regions share the world negative consequences as price reduction of exported goods, fall in asset markets, decrease of employment,

investment and domestic consumption. At the same time, every state faces its unique challenges.

Despite the fact that many authors criticize Keynesianism for violation the «Laissez-faire» principle, the market is powerless to cope with the global crisis consequences. Only effective State aid is the key solution to the global crises problems. Due to the unique opportunity of international sectoral associations (cartels) to influence the world prices, they have the power to affect the development of regional sectors or even the national economies as a whole. For instance, the Organization of the Petroleum Exporting Countries (OPEC) decided to enhance their market share of petroleum, supplying larger quantity of this good. Consequently, petroleum prices went down. Such an OPEC action eliminates sectors of competitor countries. Moreover, the same situations take place other markets, for example, steel and wheat markets, where the agreements of the exporting countries can significantly affect the development of other national economies.

Hence, in order to avoid the elimination of strategic sectors of the national economy there is a need for the government financial support and protection.

#### **Types of state aid in different countries of the world**

The European Union (EU) follows competition rules in its policies and controls the interventions of the Member States in the economy. However, according to the Treaty on the Functioning of the European Union, if state aid is clearly justified in terms of overall economic development, the aid is allowed within the EU. Otherwise, companies, which receive such assistance from the government, have certain advantages over their competitors. Exceptions to the application of state aid are equal to all EU countries. The European Commission is responsible for following state aid rules of the EU.

State aid includes the costs of the Member States provided for individual sectors for purposes of common interest. These sectors are agriculture, fisheries, coal mining, transport and communications, etc. Moreover, state aid includes costs for restructuring needs or rescue programs. According to the specificity of state aid regulation in the EU, there are separate fields for subsidies questions for railways and financial sector aid as a response to economic crisis.

The basic documents for regulating state aid and verifying its compliance with EU rules are the following:

- European Union Association Agreement (Article 3);

- Treaty on the Functioning of the European Union (Articles 107, 108, 109, and Article 3, 4, 5, 6, 14 42, 50, 93, 106, 119, 346);
- Council Regulation № 994/98 dated 7.05.1998, Act № 733/2013 dated 22.07.2013.

The EU regularly reviews the legal documents relating to state aid. All the changes are approved after discussion with Member States.<sup>1</sup>

Three Commissions of Directorates-General control the state aid procedure. They are Fisheries Commission, Agriculture Commission and Commission responsible for following competition principles in all sectors.

The EU finance and provides grants for a wide range of projects and programmes in the following areas:

- Education;
- Health;
- Consumer protection;
- Protection of environment;
- Humanitarian aid.

State aid is a mechanism for review and approval projects, programs and activities by the European Commission. The EU applies the set of rules in order to regulate the achievement the state aid objectives, which are common for different sectors (horizontal support); sectoral aid; application of special instruments of state aid (state guarantees, etc.).

The EU annually spends about 70 billion euros on state aid that is more than 0.5% of EU GDP. The main share of EU state aid is horizontal aid. This type of aid is about financing measures to achieve some common to all EU objectives (e.g. promotion of innovation, protection of environment, support for SMEs, employment promotion, etc.).

It should be noted that these activities are financing from joint EU funds (e.g., the European Regional Development Fund, Structural Fund, Social Fund, etc.), but not from the budgets of individual states. The mechanism of state aid is designed to meet the competitive conditions. The structure of horizontal state aid is characterized by the largest share of protection of environment and energy saving (in particular in 2012 spent 25% of the total state aid), regional development, 21%; stimulation of research and innovation, 17%; increase in employment, almost 6% (Table. 1).

<sup>1</sup> European commission. State aid control overview. Available at: [http://ec.europa.eu/competition/state\\_aid/overview/index\\_en.html](http://ec.europa.eu/competition/state_aid/overview/index_en.html)

**Table 1**  
**State Aid in the EU 2008-2012 (% of GDP)**

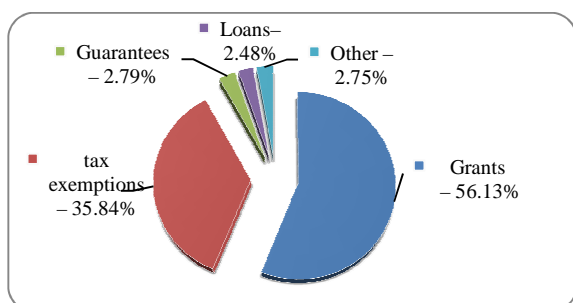
State aid	2008	2009	2010	2011	2012
State aid	0,58	0,63	0,57	0,51	0,52
Horizontal aid, including:	0,39	0,44	0,41	0,38	0,39
<i>protection of environment</i>	0,11	0,12	0,11	0,10	0,11
<i>regional development</i>	0,11	0,13	0,11	0,09	0,09
<i>research and innovation</i>	0,07	0,09	0,09	0,08	0,07
Sectoral aid	0,09	0,10	0,09	0,06	0,07

Source: compiled from data<sup>1</sup>

Sectoral aid is 15% of the state aid. In 2012, sectoral aid was 8.7 billion euros, or 0.07% of GDP<sup>2</sup>. In some countries, where sectoral support is absent, horizontal aid is 100% of the total state aid. These countries are Austria, Belgium, Bulgaria, Estonia, Latvia, Lithuania, Luxembourg, the Netherlands, Romania, Finland and Sweden.<sup>3</sup> The main sectors, which receive this aid, are coal and manufacturing (their share is about 5% of the total state aid).

Sectoral aid is mainly provided by the budgets of individual countries to support certain manufacturers. However, any form of state aid (subsidies, tax exemptions and other benefits) must be aligned with the Department of Competition of the European Commission (DG Competition).

Structure of state aid by the tools is presented in Fig. 1.



**Fig. 1. Share of state aid tools in % of the total state aid in the EU, 2012<sup>4</sup>**

<sup>1</sup> Non-crisis state aid, % of GDP. Horizontal aid as a % of GDP. Sectoral aid, % of GDP. Available at: [http://epp.eurostat.ec.europa.eu/tgm\\_comp/refreshTableAction.do?tab=table&plugin=1&pcode=comp\\_ai\\_sa\\_01&language=en](http://epp.eurostat.ec.europa.eu/tgm_comp/refreshTableAction.do?tab=table&plugin=1&pcode=comp_ai_sa_01&language=en)

<sup>2</sup> State Aid Scoreboard 2013. Non-crisis aid. Available at: [http://ec.europa.eu/competition/state\\_aid/scoreboard/non\\_crisis\\_en.html](http://ec.europa.eu/competition/state_aid/scoreboard/non_crisis_en.html)

<sup>3</sup> The same

<sup>4</sup> State Aid Scoreboard 2013. Non-crisis aid. Available at: [http://ec.europa.eu/competition/state\\_aid/scoreboard/non\\_crisis\\_en.html](http://ec.europa.eu/competition/state_aid/scoreboard/non_crisis_en.html)

Fig. 1 shows that the biggest share of state aid instruments belongs to grants (in 2012 was 56.13%) and tax exemptions (35.8%).

The European Commission also provides state aid in the form of guarantee on more favorable financing terms than businesses receive. Guarantees are provided by official contracts or other legal sources. There are also verbal commitments, but the lack of appropriate legal or accounting documents often leads to the inability or limited control over them.

The table 2 shows that half the EU guarantee is not received. Several countries were given the biggest share of guarantees: Greece, 80.71%; Germany, 7.9%; Germany, 6.05%; France, 1.11%; the rest got less than one percent.

**Table 2**  
**The volume of fixed annual guarantees given to member states in the EU, 2009-2011**

#	State	The size of the fixed annual aid	
		mln. euro	% of total
1	Belgium	1	0.08
2	Bulgaria	0	0.00
3	Czech	100	7.90
3	Denmark	1	0.08
5	Germany	76	6.05
6	Estonia	0	0.00
7	Ireland	0	0.00
8	Greece	1013	80.71
9	Spain	7	0.55
10	France	14	1.11
11	Italy	11	0.88
12	Cyprus	0	0.00
13	Latvia	0	0.00
14	Lithuania	0	0.00
15	Luxembourg	0	0.00
16	Hungary	5	0.40
17	Malta	0	0.00
18	Netherlands	10	0.80
19	Austria	12	0.96
20	Poland	1	0.08
21	Portugal	0	0.00
22	Romania	0	0.00
23	Slovenia	0	0.00

24	Slovakia	0	0.00
25	Finland	3	0.23
26	Sweden	0	0.00
27	Great Britain	1	0.08
Total	EU-27	<b>1255</b>	<b>100.00</b>

Source: compiled from data:  
[http://ec.europa.eu/competition/state\\_aid/studies\\_reports/expenditure.html#5](http://ec.europa.eu/competition/state_aid/studies_reports/expenditure.html#5)

Fig.2 demonstrates different forms of state aid for sectors and fields of activities.

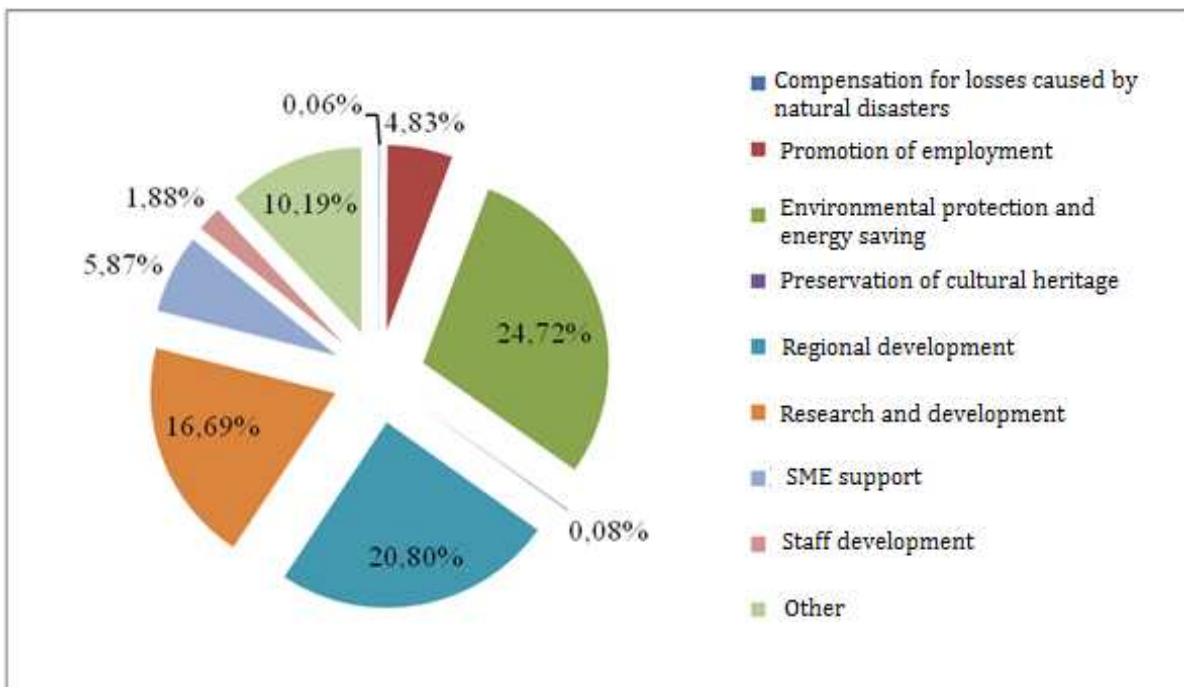


Fig. 2. Structure of EU state aid by areas of expenditure in 2012<sup>1</sup>

<sup>1</sup> Aid earmarked to horizontal objectives of common interest, as a % of total State aid / European Commission. Available at: [http://ec.europa.eu/competition/state\\_aid/studies\\_reports/expenditure.html](http://ec.europa.eu/competition/state_aid/studies_reports/expenditure.html)



In the EU programmes of state aid started in 80th in the form of investment aid, export credits, insurance, corporate "saving", direct cash injections into public and private firms, reduction of loan rates and some types of subsidies. The most programmes are implemented as research grants, achieving environmental effect, supporting processes of job creation, etc. In particular, France has announced about intentions for subsidizing "green" or electric motors. Germany informed about allocation of 5 billion euros to the scheme «cash-for-clunkers». This scheme provides discounts for the purchase of more efficient and effective vehicles, which save fuel.

### Implementation of state aid in Ukraine

According to the Law of Ukraine " State Aid for economic entities" there are 9 forms of state aid: (1) subsidies and grants; 2) donations; 3) tax exemptions, deferral or payment taxes by installments, duties or other mandatory payments; 4) debt relief, including debt for providing public services, cancellation penalties, compensation damages for entities; 5) guarantees, loans on favorable terms, credit service at favorable rates; 6) reduction of financial obligations of entities to the Fund of compulsory state social insurance; 7) providing (directly or indirectly) goods or services at below market prices to undertakings or purchase products or services businesses at prices above market; 8) selling state-owned property at prices below market; 9) an increase of the state share in the authorized capital of undertakings or increase of the value of the state share in terms, which are unacceptable to private investors.<sup>1</sup>

Expenditures and loans of Consolidated Budget for economic activity, which can be considered as state aid, is about 50 billion USD every year. Since there is no clear methodology for state aid, approaches of determining aid<sup>2</sup> volumes vary widely.

Reports about state aid are implemented within the framework of WTO membership. However, reports are not annual; there not all types of state aid in it. In particular, according to the methodology of the National Institute of Strategic Research, the main types of state aid are tax and customs exemptions, loans and expenditures of Consolidated Budget on economic activity and state guarantees (tab. 6).

<sup>1</sup> Comes into force from January 1, 2017  
<sup>2</sup> A. Bulana (2014) State aid in Ukraine towards EU standards Available at: [www.scribd.com/doc/205101135/Bulana-EU-Assoc-pdf](http://www.scribd.com/doc/205101135/Bulana-EU-Assoc-pdf)

**Table 3**  
**Gross expenditures indicators of consolidated budget, tax and customs privileges and state guarantees mln. UAH, %**

Expenditures indicators	2010	2011	2012
Tax exemptions	37 127	58 764	48 659
Customs privileges	21 950	43 900	42 943
Expenses and loans of consolidated budget for economic activity	43 832	57 124	62 377
TOTAL *	102 910	159 788	153 979
Consolidated budget incomes	314 506	334 692	445 525
Government guarantees	10 074,3	12 842,1	75 349,8
GDP	1 082 569	1 302 079	1 408 889
State aid * as% of consolidated budget	32,70%	47,70%	34,60%
* State aid in% of GDP	9,50%	12,30%	10,90%
State aid with state guarantees,% of GDP	10%	13%	16%

\*Gross expenditures of state guarantees are not included to the gross indexes of the state aid, as far as they don't directly influence state losses or budget expenses.

Built on the basis of: Modernization of state aid system to the economic entities in Ukraine. – K.: NISD, 2013. – 28 p.

Nowadays there are two types state aid, which have the biggest share: subsidies and current transfers to enterprises (institutions, organizations) (code 2610 in economic classification of expenditures) and tax credits (divided into two groups: those that lead to budget losses and that do not lead to losses budget).

The common trend in 2009-2013 for all kinds of aid (exemptions, costs, guarantee, etc.) is a low proportion of industries with potential for high level of import substitution, because of large aid for agriculture, fuel and energy, services, infrastructure development.

Obviously, the volume of state guarantees to Ukraine and the EU vary considerably. In addition, the annual absolute levels of government guarantees are fixed in the EU, while in Ukraine they change every year. According to figures, burden on the budget of Ukraine in 2009 was quite noticeable (3.6%), whereas in 2010-2011 it decreased significantly (about 1%). However, the burden on the budget of the EU in 2009-2011 was negligible (0,009-0,01%) (Table 4).

**Table 4**  
**The volume of state guarantees to Ukraine and the EU**  
**for 2009-2011**

Year	Ukraine, mln.UAH	% of GDP	The EU, mln.euro	% of GDP
2009	32892,6	3,6	1255,0	0,01
2010	10074,3	0,93	1255,0	0,01
2011	12842,1	0,97	1255,0	0,009

Source: compiled from data:

[http://appsso.eurostat.ec.europa.eu/nui/\\_submitViewTableAction.do](http://appsso.eurostat.ec.europa.eu/nui/_submitViewTableAction.do); <http://index.minfin.com.ua/index/gdp/>

According to the Ministry of Finance of Ukraine, the total expenditures of consolidated budget, which focused on economic development in state aid for agriculture, forestry and fisheries in 2002-2013, were 1.4 billion in 2002 and 9.6 billion in 2008. During 2010-2013, the expenditures of the consolidated budget on the development of the sector was relatively stable (7.3-7.7 bln. UAH).

The focus of state aid in Ukraine are different sectoral programmes. During 2009-2012. Share of sector aid was 94.46-98.49% in Ukraine and 13.21-18.45% in the EU. As of 2012, the key sectors that receive state aid in Ukraine were agriculture and coal industries (34.9% and 27.2% respectively). In turn, the EU share of state funding these sectors was 15.0% and 3.7%.

Ukraine should focus on state aid approach of the EU. It is important to note that the main priorities of the EU state aid (regional development, research and innovation, environmental protection, support for small and medium enterprises) is also extremely important for Ukraine. Furthermore, "priority" of these activities should be the basis of state aid.

Prospects for improving the effectiveness of state aid in Ukraine require the introduction of a number of measures that will adapt a system to EU standards.

Sectoral state aid should be provided on competitive conditions only for those sectors, which need this support most of all (e.g., enterprises, which can create new economic sectors or provide a significant number of jobs, especially in depressed areas). At the same time, distorting effect on the market mechanism need to be less than the positive effect of the aid.

## Conclusions

Given the impact of the global crisis on the national economy, state aid is a tool to ensure a certain level of economic security.

1. Government assistance is an integral part of an integrated EU policy, which consumes an average of about 73 billion euros annually. As of 2012 the amount of state EU support (excluding anti-crisis assistance and railway Management) reached 0.52% of the GDP in the EU-27. Moreover, its performance relative to the GDP has the tendency to decrease (2000 - 0.67%, 2009 - 0.63%).

2. The major share of state aid in the EU is horizontal support as funding measures to achieve common EU objectives (eg, promotion of innovation, environmental protection, support for SMEs, employment promotion, etc.). The structure of state aid in the EU forms the greatest amount allocated grants (56.13% of its volume) and providing tax benefits (35.84%). In Ukraine, the tax benefits in 2012 amounted to about 30%.

3. Ukraine types of horizontal aid was introduced in the EU are in small quantities. The share of horizontal aid in total amount of state aid for 2009-2012. Ranged from 1,51-5,54%, while in the EU - 81,55-86,79%. Priority funding areas within the horizontal support in Ukraine and the EU coincide (the largest share in 2012 accounted for research and conservation measures and energy efficiency). However, the Ukrainian government support of regional development is practically not carried out, while in the EU last makes 20.8%.

4. The main focus of government support in Ukraine are different program topics and directions. During 2009-2012 a share of sector support in Ukraine was 94,46-98,49% and 13,21-18,45% in the EU.

5. The main sectors that receive state support in Ukraine were agriculture and coal industries.

6. State Support of Agriculture in Ukraine (as of 2012) stood at 0.74% of GDP. It is the practice of state support of agriculture in the EU (0.73%). The overwhelming share of state aid accounted for agriculture (89.7% in 2013). Forestry received 8.3% of aid, and the fisheries were allocated 2.0%.

7. In terms of sectors, state aid should be provided in a competitive environment only to those sectors most in need of support (haluzeutvoryuyuchi enterprises, which provide a significant number of jobs, especially in depressed areas) and where the distorting effect on the market mechanism will be less than the positive the effect of the aid.

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**MONITORING OF PUBLIC SERVICE ADVERTISING IN CURRENT TV  
AND RADIOSPACE OF UKRAINE**

**Abstract**

Research results concerning the state of social advertising broadcasted by state television and radio stations of Ukraine in 2013 are presented in the paper. The structure of social advertising by such aspects as: thematic directions, orders, regional distribution, duration and frequency are analyzed in the paper. Analysis of the responses from the Ministry of Social Policy of Ukraine and 18 institutions and organizations managing by the State Committee for Television and Radio Broadcasting of Ukraine from 16 regions of Ukraine led to the following conclusions. First, to inform the public of the important problems a lot is done, but in relation to specific thematic areas measures are not always coordinated, they are rather scarce in nature. This is the reason why we think that seems that financial and time resources are spent significant but there is no focused approach. Second, the main customers of PSAs are government authorities. Third, the structure of social advertising by thematic aspects little corresponds to the most important priorities of Ukrainian society. The survey finds out a lag between the priorities of Ukrainian society defined by national and international researchers and thematic directions of social advertising. Unfortunately, social advertising broadcasting was not based on the priorities. Fourth, in the social advertising ordered by NGOs and foundations and broadcasted on television and radio stations, the topics in cultural and educational fields dominated. Fifth, the analysis has been found that broadcasting of PSAs through regions was unequal. On basis of the conclusions some recommendations are offered in the article.

**Key words:** public service advertising, social advertising, civil society, non-profits, television and radio stations.

**Introduction.** The relevance of investment in human capital, especially in solving social problems in the areas of health, education and labor market initiatives is confirmed by initiatives of international organizations, governments and the expert community. Unfortunately, numerous studies concerning Ukraine indicate the existence of a number of significant problems largely caused by the tendency to unhealthy lifestyles and a large prevalence of risk factors. What makes the situation worse is disturbing and extremely low dynamics of Ukraine in the index of human development and life expectancy. In 2013 the tendency has worsened, the figure was lower than the average around the globe [1].

This is caused by low birth rates, high mortality, especially among male of working age, the high prevalence of chronic non-transmittable diseases, little physical activity, unhealthy and unbalanced diet, factors of antisocial behavior. International experience confirms the ability of social (public, non-profit) advertising to help solve national problems of high priorities through changing behavior of target audiences towards friendly

to the environment, health, society, etc. The Law “On Advertising” defines social advertising as follows: “information of any type disseminated in any form aimed at reaching of generally useful purposes and whose dissemination does not aim at gaining of profit” [6]. There is the term “social advertising” used abroad which corresponds to the notion of ‘public service advertising’ and ‘public service announcement’ most commonly used as PSA. According to [3] social advertising in Ukraine today is the least developed area of marketing and public policy communications. Thus, the total cost spent on social advertisement in Ukraine is in 9-12 times lower than in the EU. In Ukraine, the share of social advertising on billboards is only 5-10%; the share in the total social advertising information space is only 0.5%. In addition to this, experts also point to a nearly invisible influence of public authorities in development of PSAs [2].

Various aspects of social advertising in Ukraine have been studied by L.Khavkina, O.Aharkov, H.Horbenko, A.Strelkovs'ka, O.Svatnikov, L.Berezovets', A.Tymoshenko, S.Artykutsa and others. In the works of

these scholars the conceptual framework of basic principles and approaches to solving some of the problems by means of social advertising, the features of its formation and functioning in Ukraine, current problems, challenges and prospects of development of modern social advertising have been highlighted. Analysis of the scientific researches has found out that most of the research is theoretical in nature. So there is a need for empirical research of the state of social advertising broadcasted by state television and radio stations of Ukraine in 2013.

**The aim of our research** is to explore the scope, priority areas and regional specificity of social advertising transmitted through television and radio stations managed by the State Committee for Television and Radio Broadcasting of Ukraine.

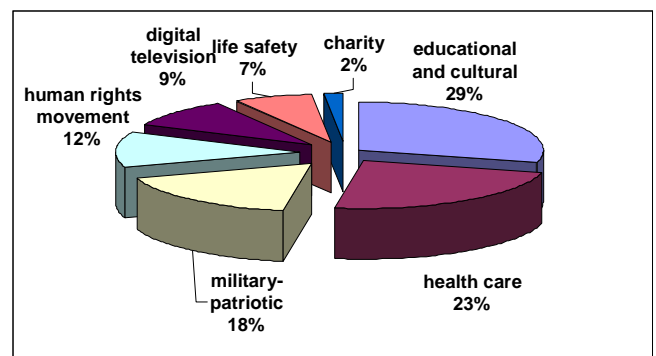
**The methods of the research** are written surveys of television and radio stations managed by the State Committee for Television and Radio Broadcasting of Ukraine, written survey of the Ministry of Social Policy of Ukraine according to the Law of Ukraine “On Access to Public Information”.

**The research statements.** Research concerning the state of social advertising broadcasted by state television and radio stations of Ukraine during 2013 was initiated by the author in October 2014. For this purpose letters of request were created and sent to the State Committee for Television and Radio Broadcasting of Ukraine, to the Ministry of Social Policy of Ukraine according to the Law of Ukraine “On Access to Public Information”.

Responses from the Ministry of Social Policy of Ukraine and 18 institutions and organizations managed by the State Committee for Television and Radio Broadcasting of Ukraine from 16 regions of Ukraine were received. Among of them are National Television Company of Ukraine, National Radio Company of Ukraine, Volyn regional state television and radio company (RSTRC), Zhytomyr RSTRC, Zakarpattia RSTRC, Ivano-Frankivsk RSTRC, Kiev RSTRC, Lviv RSTRC, Poltava RSTRC, Rivne RSTRC, Ternopil RSTRC, Kharkiv RSTRC, Kherson RSTRC, Khmelnytskyi RSTRC, Cherkasy RSTRC, Chernivtsi RSTRC, Novhorod-Siversky RSTRC, Kryvyi Rih RSTRC. During research there were some difficulties in providing adequate comparative analysis because, unfortunately, the responses of some organizations were not complete, did not contain the requested information. However, we have identified PSAs priorities, major customers and structure of PSAs by regional and thematic aspects.

As provided in Article 12 of the Law “On Advertising”:  
 “Mass media – advertising disseminators – whose activity is fully or partially financed from the state or

local budgets shall place social advertising of bodies of state power or bodies of local self-government, of public organizations free of charge in amount of at least 5 percent of air time, printed space allotted for advertising” [6]. The analysis of the data obtained from 16 investigated regions makes possible to draw the following conclusions. The broadcasted in 2013 social advertising concerned different directions such as: educational and cultural, health care, military-patriotic advertisements, human rights movement, popularization digital television, life safety, charity (Fig. 1).



**Fig.1. The thematic directions of PSAs in Ukraine** (based on data from National Television Company of Ukraine, National Radio Company of Ukraine, Volyn RSTRC, Zhytomyr RSTRC, Zakarpattia RSTRC, Ivano-Frankivsk RSTRC, Kiev RSTRC, Lviv RSTRC, Poltava RSTRC, Rivne RSTRC, Ternopil RSTRC, Kharkiv RSTRC, Kherson RSTRC, Khmelnytskyi RSTRC, Cherkasy RSTRC, Chernivtsi RSTRC, Novhorod-Siversky RSTRC, Kryvyi Rih RSTRC).

The analysis of the data obtained from 16 investigated regions [7-25] makes possible to note that priority direction of social advertising **was educational and cultural** (855.3 hours, i.e. 29.2% of the total PSAs). The top airtime is public service announcement regarding **health care** (682.1 hours, i.e. 23.3% of the total PSAs). The third position is occupied by **military-patriotic advertisements** (518.8 hours, i.e. 17.7% of the total PSAs). The fourth place in terms of television and radio PSAs popularity is ranked by the advertisements on **human rights movement** (349.0 hours, i.e. 11.9% of the total PSAs). Social advertising aimed at **popularization digital television** was 274.4 hours, i.e. 9.4% of the total PSAs. Social advertising devoted to **life safety** was 204.4 hours, i.e. 7% of the total PSAs. **Charity** social advertising was broadcasted 49.5 hours, i.e. 1.7% of the total PSAs. Some RSTRCs have mentioned **religion and the environment** PSAs, but their volume was negligible. Thus, ecological PSAs broadcasted only 4 minutes per year.

At the beginning of the new century the United Nations determined the following goals for Ukraine up to 2015 [4]: reduce poverty, provide quality education for life, ensure gender equality, reduce child mortality, improve



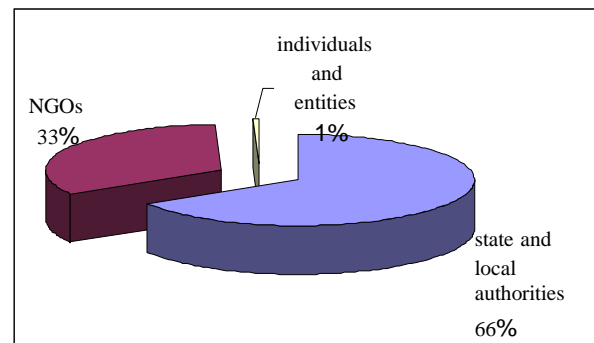
maternal health, reduce the spread of HIV/AIDS and tuberculosis and initiate to reverse their spreading as well as to ensure environmental sustainability. Another report [5] indicated similar national development priorities of Ukrainian society, but in the context of social, economic and political change. It has been suggested to provide equality of opportunity and social justice, effective and transparent government, effective health care system, decent work, modern economy, environmental health, accessible and quality education and infrastructure. Thus, analysis of PSAs found that thematic directions of PSAs were not based on the most important priorities of Ukrainian society.

Important aspects affecting the effectiveness of social advertising are *duration and frequency* of advertising. The analysis of the data obtained from 16 investigated regions makes possible to note that duration of broadcasted PSAs was different - from 15 seconds to 3 minutes, the average duration of advertising was 1 minute. The average number of PSAs per ordered period was 2-3 times a day. However, as a sample of PSAs some television stations broadcasted a film that lasted for 27 minutes. On our opinion, this type of commercials did not really belong to the category of "advertising".

The average period of broadcasting of social advertising was 62 days, but it depends on the regions. The longest period of broadcasting time was dedicated to advertising that consisted of 11 videos and its purpose was to create a positive image of the country (it broadcasted 62-70 days, three times a day).

The analysis of the data obtained from 16 investigated regions makes possible to note unequal geographic dissemination of social advertising. Thus, in 2013 PSAs were distributed among the national and regional public service broadcasters as follows: Rivne RSTRC 791.0 hours, i.e. 25.64 % [18], Poltava RSTRC 733.8 hours, i.e. 23.78% [17], Chernivtsi RSTRC 352.3 hours, i.e. 11.42 % [8], Volyn RSTRC 210.8 hours, i.e. 6.83% [23], Khmelnytskyi RSTRC 168.3 hours, i.e. 5.45% [12], Kryvyi Rih RSTRC 165.8 hours, i.e. 5.37 % [14], Lviv RSTRC 152 hours, i.e. 4.93% [15], Zhytomyr RSTRC 125.0 hours, i.e. 4.05 % [25], Novhorod-Siversky RSTRC 101.3 hours, i.e. 3.28% [16], Kiev RSTRC 82.6 hours, i.e. 2.7 % [13], the National Radio Company of Ukraine 81.7 hours, i.e. 2.7% [21], Ternopil RSTRC 47.2 hours, i.e. 1.5 % [19], the National Television Company of Ukraine 45.6 hours, i.e. 1.48% [22], Kherson RSTRC 10.8 hours, i.e. 0.35% [11], Ivano-Frankivsk RSTRC 8.0 hours, i.e. 0.26% [9], Zakarpattia RSTRC 5.6 hours, i.e. 0.18 % [24], Cherkasy RSTRC 3.9 hours, i.e. 0.13 % [7]. Total amount of PSAs: 3085.6 hours.

On the one hand, such an unequal geographic dissemination of social advertising can be explained by different amounts of airtime allocated for advertising in various RSTRCs. Unfortunately, the investigated RSTRCs did not specify the total amount of airtime allocated for advertising, so it is impossible to compare the proportion of airtime allocated to social advertising with total advertising time of investigated RSTRCs. On the other hand, the unequal dissemination can be explained by different marketing activities of local government authorities and NGOs from different regions. The customer profile of PSAs is shown in fig. 2.



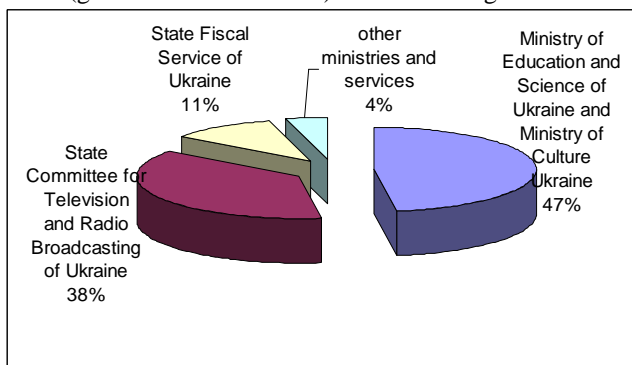
**Fig. 2. Customer profile of PSAs** (based on official answer letters from RSTRCs [7-25])

The figure 2 shows that in 2013 the most widely broadcasted were PSAs ordered by state and local authorities (66% of the total airtime, which was reserved for social advertising). Social advertising, ordered by NGOs, foundations was 2062.4 hours or 33 % of the total PSAs. Customers of PSAs were also individuals and entities (less than 1% of the total PSAs).

The analysis of the data obtained from 16 investigated regions makes possible to note government authorities' dominance. On the one hand, it is makes possible centralized and systematic distribution of PSAs orders, to forms address priority issues for Ukrainian society and to implement national standards for the development of social advertising and social welfare campaigns. However, today there is no concept of development of Ukraine in the sphere of social advertising. It is published on the website of the Ministry of Social Policy of Ukraine [3], but has not yet been approved. The unresolved question of systematic and centralized approach to social advertising in Ukraine can confirms the letter-answer from the Ministry of Social Policy of Ukraine. Unfortunately, the Ministry of Social Policy of Ukraine has presented a list, schedules and timing only of PSAs that were related to combating human trafficking [20]. We assume that the approval of the National Programme on Social Advertising in Ukraine would solve problems of lack of consistency and unclear understanding of what topics and tasks are of prior importance for the Ukrainian

society. This will increase the efficiency of collective influence (government and civil society) on the behavior of target social audiences.

The study has found out that in 2013, most broadcasted PSAs were ordered by central government authorities (3535.8 hours or 82% of the total PSAs, ordered by authorities) and by local authorities (639.8 hours or 15% of airtime). The rest reserved for social advertising, ordered by local government authorities (142.2 hours or 3%). This presents inactivity of local governments and local authorities in informing of the public through public service announcements. Customer profile of PSAs (government authorities) is shown in fig. 3.



**Fig. 3. Customer profile of PSAs, government authorities** (based on official answer letters from RSTRCs [7-25])

As can be seen in fig. 3, the most amount of PSAs was ordered by the Ministry of Education and Science of Ukraine and the Ministry of Culture of Ukraine – 1685 hours or 25.2% of total broadcasted social advertising. Social advertising, ordered by the State Committee for Television and Radio Broadcasting of Ukraine comprised 1327.8 hours or 19.9%. 375.8 hours or 5.6% of airtime was devoted to social advertising, customized by the State Fiscal Service of Ukraine. Social advertising, ordered by other ministries and services totalled 147.3 hours or 2.3%.

The lion's share (2027.6 hours or 98%) of PSAs broadcasted by the National Radio Company of Ukraine. In PSAs ordered by NGOs dominates cultural and educational thematic direction (1514.3 hours or 95% of total social advertising, ordered by NGOs), the rest of air time is given to health (58.3 hours or 3.7%) and legal areas (8/6 hours or 0.5%).

### Conclusions

Analysis of the responses from the Ministry of Social Policy of Ukraine and 18 institutions and organizations managing by the State Committee for Television and Radio Broadcasting of Ukraine and representing 16 regions of Ukraine led to the following conclusions.

First, to inform the public of the important problems a lot is done (through video and audio clips, ads, short films, scrolling tape, clips between the programs), but in relation to specific thematic areas measures are not always coordinated, they are rather scarce in nature. This is the reason why we think that seems that financial and time resources are spent significant but there is no focused approach.

Second, the main customers of PSAs are government authorities. On the one hand, it is makes possible centralized and systematic distribution of PSAs orders, to forms address priority issues for Ukrainian society and to implement national standards for the development of social advertising and social welfare campaigns. However, today there is no concept of development of Ukraine in the sphere of social advertising. There were no results of monitoring of the effectiveness of social advertising in 2012-2013 from the Ministry of Social Policy of Ukraine.

Third, the structure of social advertising by thematic aspects little corresponds to the most important priorities of Ukrainian society. Analysis of the responses presented that priority areas of social advertising in 2013 were educational and cultural (855.3 hours, i.e. 29.2% of the total PSAs). The top airtime is public service announcement regarding **health care** (682.1 hours, i.e. 23.3% of the total PSAs). The third position is occupied by **military-patriotic advertisements** (518.8 hours, i.e. 17.7% of the total PSAs). The fourth place in terms of television and radio PSAs popularity is ranked by the advertisements on **human rights movement** (349.0 hours, i.e. 11.9% of the total PSAs). Social advertising aimed at **popularization digital television** was 274.4 hours, i.e. 9.4% of the total PSAs. Social advertising devoted to **life safety** was 204.4 hours, i.e. 7% of the total PSAs. **Charity** social advertising was broadcasted 49.5 hours, i.e. 1.7% of the total PSAs. Some RSTRCs have mentioned **religion and the environment** PSAs, but their volume was negligible. Thus, ecological PSAs broadcasted only 4 minutes per year. The survey finds out a lag between the priorities of Ukrainian society defined by national and international researchers and thematic directions of social advertising. Unfortunately, social advertising broadcasting was not based on the priorities.

Fourth, in the social advertising ordered by NGOs and foundations and broadcasted on television and radio stations, the topics in cultural and educational fields dominated.

Fifth, the analysis has been found that broadcasting of PSAs through regions was unequal. On the one hand, such an unequal geographic dissemination of social advertising can be explained by different amounts of airtime allocated for advertising in various RSTRCs.

Unfortunately, the investigated RSTRCs did not specify the total amount of airtime allocated for advertising, so it is impossible to compare the proportion of airtime allocated to social advertising with total advertising time of investigated RSTRCs. On the other hand, the unequal dissemination can be explained by different marketing activities of local government authorities and NGOs from different regions.

Based on the conclusions we could propose some recommendations:

- To develop and approve the National Programme on Social Advertising in Ukraine. This would solve problems of lack of consistency and unclear understanding of what topics and tasks are of prior importance for the Ukrainian society. This will increase the efficiency of collective influence (government and civil society) on the behavior of target social audiences;
- To order PSAs according to the priorities of Ukrainian society and its priority issues;

- Require the institutions and organizations managed by the State Committee of Ukraine to keep records of broadcasted public service announcements in terms of topics, customers, *duration, frequency* and period of social advertising;
- To systematize the interactions of civil society and entities managed by the State Committee for Television and Radio Broadcasting of Ukraine, in particular by strength RSTRCs to comply with the Law of Ukraine "On Access to Public Information";
- To stop the practice of disseminations of a small number of advertising materials, because it scatters resources and has little influence on the behavior of target social audiences;
- To develop a system of involving local authorities and NGOs into ordering PSAs.

The suggested empirical research has confirmed the feasibility of organized cooperation between NGOs and government agencies. Such cooperation is a precondition for the optimal allocation of resources to achieve the priorities of Ukrainian society.

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## RESEARCH, TECHNOLOGY AND INNOVATION TRANSFER: FRENCH STRATEGIC AGENDA

### Abstract

*The French system of research, technology and innovation transfer is based on an important transfer system from universities to companies. Based on many different organizations and helped by different transfer tools, one of the most important aims is to develop the fertilization of the industrial world by academic knowledge. The transfer process includes facilitating researcher mobility between the public and private sectors and introducing courses in innovation and entrepreneurship for researchers.*

*It is obvious that research, technology and innovation transfer strengthens a country's competitiveness. Growth and economic performance depend directly on a country's capacity to manage and use new knowledge and to meet the technological and innovation challenges. Lisbon Strategy adopted by the European Union in 2000, placed innovation at the heart of Europe's future. France wants to affirm its leading role in research and innovation and has undertaken proactive policies to achieve this aim.*

*Investing in research is believing in the power of competitiveness, in a world of technological, scientific, economic, societal and environmental change. Both our neighbours and emerging countries have been quick to realize this, listing higher education and research amongst their national priorities.*

*The newly-instituted Strategic Agenda for Research, Transfer and Innovation, "France Europe 2020" illustrates this new policy. It comprises a national research strategy, the core principle of which I ensured was incorporated into the Act on Higher Education and Research, along with specific measures to foster transfer and innovation and secure our Nation's place in the European Research Area. Through this Agenda, the aspiration is to collectively set out the priority areas for progress in knowledge and technology, taking into consideration the key challenges which our Nation faces, and to lay down the foundations needed for them to be implemented. The priorities will be determined based on the results of close consultation with the scientific community, social and economic partners, the relevant Ministries and local authorities.*

**Keywords:** innovations, technology, R&D, transfer, cluster policy, competitiveness clusters.

### Introduction

Recent years France implements the policy initiatives which aim at the acceleration of knowledge transfer and the boosting of innovation activities. We should acknowledge a complexity of the current French research landscape, involving multiple actors at different levels. In response to the complexity of the French research and innovation system, a number of changes were made. Universities and their research and teaching activities were organised in so-called Research and Higher Education Clusters (Pôles de Recherche et d'Enseignement Supérieur - PRES), 21 of which were created since 2006. In terms of research and technology transfer and valorisation, the Ministry of economy finance and industry supervised the creation of Competitive Clusters (Pôles de Compétitivité) which

bring together the activities of companies, public research and higher education in predefined thematic areas.

The national agency (OSEO) provides assistance and financial support to French SMEs in the most decisive phases of their life cycle: start up, innovation, development, business transfer / buy out. By sharing the risk, it facilitates the access of SMEs to financing by banking partners and equity capital investors. The funding policy of the national research agency (Agence Nationale de Recherche) was also changed to allow more funds to flow into research activities that are not part of a precise thematic focus ("programmation non-thématique"). Since 2010, half of the funds attributed to research were granted under this policy.



The most important policy initiative to strengthen technology transfer and innovation was the creation of societies for accelerated technology transfer (Sociétés d'Accélération du Transfert de Technologie - SATT) in 2010-2012. SATTs have a double mission: first, they are to strengthen R&D valorisation services at the local level. Second, they fund proof of concept and maturation studies, in close cooperation with the above mentioned Competitive Clusters. Some of them also act as incubators.

Other initiatives that have an impact on knowledge transfer in France are the so-called "conventions CIFRE" which provide support to PhD students elaborating their thesis in an industry environment and the national competition for entrepreneurship to create start-ups (concours national d'aide à la création). Both CIFRE and the entrepreneurship competition are deemed to be valuable instruments. A general challenge seems to be the measurement of the effectiveness of these new programs. The new set of business incubators still needs to define its appropriate place in the new system of knowledge transfer and innovation.

As to the R&D expenditure trends of recent years in France, after a long period of relative stability at a low level, expenditures in recent years have slightly risen. In France, only few companies do have their own R&D expenditure, but those who do show a high level of expenditure. In the long-run, the number of companies in France with significant investments in R&D needs to be increased. One key factor in explaining the level of expenditure seems to be the degree of specialisation of the pursued activities of a company, which would allow generating sufficient levels of revenue from licensing activities.

A competitive cluster pools together companies, research laboratories and higher education establishments in a given territory in order to encourage collaborative research and to gain a competitive edge in their fields in France and internationally. There are currently 71 of these clusters and two calls for proposals for collaborative research a year.

### **Strategic Agenda "France Europe 2020"**

With "France Europe 2020" France is now equipped with a strategic agenda for research, technology transfer and innovation that will guide public research support policy over the long term. The central aim of the "France Europe 2020" Agenda is to enable all areas of French research to better take on the scientific, technological, economic and societal challenges of the decades to come. Health, food safety, reasoned resource management and climate change, the energy transition, mobility and sustainable urban systems, development of the digital economy and space technologies, or reindustrialisation of our territories are all some of the

major challenges on which research and innovation players must focus.

This long-term, high-risk, exploratory research, "with no immediate application," remains central to a national scientific strategy.

The France Europe 2020 agenda comprises a national research strategy, the core principle of which is incorporated into the Act on Higher Education and Research, along with specific measures to foster technology transfer and innovation and secure France's place in the European Research Area. [11]

### **Objectives of the Strategic Agenda "France Europe 2020"**

- Enable the government to fully play its role as a strategist, set the priorities for national programming, simplify the organization and review research assessment and indicators;
- Optimize connections and coordination with European programs, through greater consistency and better involvement, allowing France to have a bearing on Europe's future and obtain the critical mass necessary for global affairs;
- Address societal, scientific and technological issues and take up the challenges of competitiveness;
- Guide public research support policy over the long term;
- Collectively set out the priority areas for progress in knowledge and technology and lay down the foundations needed for them to be implemented;
- The priorities will be determined based on the results of close consultation with the scientific community, social and economic partners, the relevant Ministries and local authorities. [11]

### **The Nine Proposals of the Strategic Agenda "France Europe 2020"**

- Mobilize players around major societal challenges
  - Reasoned resource management and adaptation to climate change;
  - Clean, secure and efficient energy;
  - Stimulating industrial renewal;
  - Health and well-being;
  - Food safety and the demographic challenge;
  - Sustainable mobility and urban systems;
  - Information and communication society;
  - Innovative, integrating and adaptive societies;
  - A spatial aspiration for Europe;
- Reforge research coordination and guidance systems in France
- Promote technological research
- Develop digital training and infrastructures
- Foster innovation and technological transfer
- Ensure uptake of the scientific culture



- Develop programs tailored for major research and innovation priorities
- Build consistency between sites
- Step up the presence of French research in Europe and abroad

In order for the Strategic Agenda to be successful, efforts must be made to both simplify and ensure consistency in the relevant structures and their financing mechanisms, provide support for innovation and transfer, and better coordinate regional, national, European and international strategies.

In order to alleviate the often heavy administrative burden and make it possible for basic research to enjoy the peace and confidence needed for long-term endeavours, action has already been initiated to rebalance financing for research.

The ANR's efforts have been refocused and its programming made consistent with the "France Europe 2020" Agenda, which in turn connects in with the European programming for the new framework programme, "Horizon 2020".

In order to guarantee consistency and clarity at the local level, a true site policy will be implemented in each local territory. This policy will be designed to better take into account the local anchoring of all higher education and research institutions and their integration within an innovation ecosystem, and to ensure consistency between all regional, national and European strategies. As the progress made by research must also give rise to job openings and new business sectors, emphasis will be placed on transfer and innovation. The transfer mission has been explicitly stated for the first time under the law, and the "France Europe 2020" Agenda includes provisions to improve its efficiency. Technological research, currently too weak, will be developed in conjunction with the European KET and EIT programmes.

To make the French industry more visible and improve its competitiveness, joint efforts and large-scale European and international cooperation programmes will be developed. It is through a determined, incentive-building and supportive policy that France will build a Europe of Higher Education and Research. It will foster student mobility, including vocational and technological degree programmes, as well as mobility for researchers, thanks to which it will enjoy the benefit of outside skills and be a stakeholder in global debate.

The strategic agenda "France Europe 2020" will bring French research back to its fundamental role as a vehicle for knowledge creation, and strengthen innovation through its decisive contribution to France's recovery. With priority given to student success, the

new aspiration for research will give higher education and research prime importance in the construction of the new French model championed by the Government. [11]

### **National Research and Innovation Strategy of France**

The Ministry of Higher Education and Research of France launched the National Research and Innovation Strategy (SNRI) in 2009. The Strategy is the result of broad-based coordination of research and innovation operators, financing agencies, social and economic players, non-profits and civil society. Its purpose is to guide research over the coming years. [13]

Three key sectors have been identified: bio-, eco- and nano-technologies. The idea is to define a favourable environment for innovation, which is competitive on the European and international stage, by promoting collaboration between public research bodies and businesses.

All French research bodies and universities have had research optimisation departments since 1999 to act as interfaces with social and business partners. They provide support for business start-ups and they manage patents and research contracts signed with businesses.

The Ministry of Higher Education and Research has endorsed some thirty innovative business incubators located alongside scientific sites. The incubators provide advice, training and help to find financing for business start-ups based on innovative ideas.

The Ministry of Higher Education and Research set up the National Competition to Support the Creation of Innovative Technology Businesses in 1999. Each year, the competition supports the best innovative technology business start-ups with financing and appropriate support. It has contributed to the creation of more than 1,000 businesses.

The Ministry of Higher Education and Research has used the "Carnot Institute" label since 2006 to recognise and promote the capacity of public research laboratories to enter into research and technology transfer contracts with businesses. The 33 Carnot Institutes employ 12,000 researchers. The Conventions industrielles de formation par la recherche (CIFRE, Industrial Training through Research Agreements) enable businesses to obtain financial support to hire young doctoral students in partnership with public research laboratories. The agreements have been very popular since they were introduced in 1981, with more than 12,000 doctorates granted and a very high proportion of permanent positions being offered to students in the programme. [12]

### **The National Research Agency**

The National Research Agency (ANR) founded in 2005 was one of the major changes in France's research landscape and financing modes. It sparked researchers to develop and advocate top-level research projects, by stimulating a "project-based culture" capable of pacing the work of teams around performance-oriented, collaborative research. It has helped establish new inter-laboratory and often inter-disciplinary cooperation projects and direct certain areas of research toward societal issues (energy, healthcare, etc.) open to industrial or international cooperation.

The ANR now enjoys recognised know-how in implementing calls for projects, and this know-how needs to be deployed fully for the benefit of the future strategy, founded on our major societal challenges and breakthrough technological research geared at transfer and innovation.

The Ministry of Higher Education and Research wishes to refocus the ANR on its fundamental responsibilities, from as early as 2013. A number of action programmes have been initiated with the aim of: intensifying dialogue with the National Research Alliances in order to determine programming priorities; simplifying procedures; and better connecting the national and European calls for tender with a culture of subsidiarity and complementarity where research is concerned.

The 2013 Programming already implements a number of turning points in favour of projects, whether foundational or finalized and partnership-based, focusing on the major scientific and societal challenges today, in a setting where a new balance is being sought between project funding and recurring financing for research laboratories. Stronger support for partnerships between public research, SMEs and EISs has been proposed through financing for 100 joint laboratories and a dozen major challenges, under the LabCom project. This approach will be continued under the future ANR programming years, guided by the priorities that are identified gradually under the strategic agenda "France Europe 2020".

Particular attention will be paid to basic research, which is of outstanding quality in France, and which we wish to protect and stimulate in the years to come. Organisations and universities are driving this research, supported by a long-term vision. It requires an assessment process that respects its specific pace and allows boldness, creativity, exemplarity and originality to express themselves. The ANR will focus on providing support to young talents in order to foster creativity and heighten France's attractiveness on the international scene. [12]

### **Promoting the growth of innovative businesses**

The crédit d'impôt recherche (CIR, Research Tax Credit) is a tax incentive for R&D expenditure aimed at promoting research by businesses located in France. In 2008, the incentive system was simplified and extended, making it one of the most attractive in the world. The status of Young Innovative Business is granted to new SMEs that devote a large share of their budgets to R&D. It provides breaks on taxes and payroll contributions to help these companies through their lean early years.

The prime à l'aménagement du territoire for "Research & Development-Innovation" is one of the rare national programmes providing direct business investment support. It is aimed at supporting increased R&D spending by the beneficiary companies. R&D departments that create 20 permanent new jobs or invest more than EUR 7.5 million in research are eligible for the bonus. [12]

### **Involvement of players in the field**

The ANRT (National Research and Technology Association) brings together public and private-sector players in research and innovation. Its main actions are the CIFRE system, the FutuRIS (Research Innovation Society) forecasting platform and efforts to improve research partnership practices with the Europe Department.

Sophia Antipolis Foundation was founded forty years ago by Senator Pierre Lafitte in the Alpes-Maritimes Department. It is the first French technology park and a model of successful innovation development that has a world-wide reputation. The Sophia Antipolis Foundation runs the park and organises events aimed at fostering entrepreneurship and supporting innovation projects. Its actions are part of a European and international effort.

The C.U.R.I.E. network is dedicated to research optimisation and technology transfers. Its members are universities, higher institutes, industrialists and investors.

The network contributes to the dissemination of best practices by organising services and training for optimisation professionals.

RETIS is an association that brings together European business and innovation centres, business incubators, technology parks and competitiveness clusters. It has three main missions: lobbying and communication on behalf of innovation support structures, network facilitation and training for members. RETIS supports the development of some 12,000 innovative companies throughout France and is developing international actions in partnership with the Ministry of Foreign and European Affairs. [12]

## Competitiveness cluster

In 2004, France inaugurated a new industrial policy that mobilises the key factors of competitiveness, chief of which is the capacity for innovation.

A competitiveness cluster is a local cluster of businesses, research centres and training organisations working in partnership under a common development strategy aimed at fostering synergies for innovative projects carried out jointly and aimed at specific markets. The policy spurs business and academic players in France to come up with initiatives and then supports them.

The networking of innovation players through the cluster policy is aimed at:

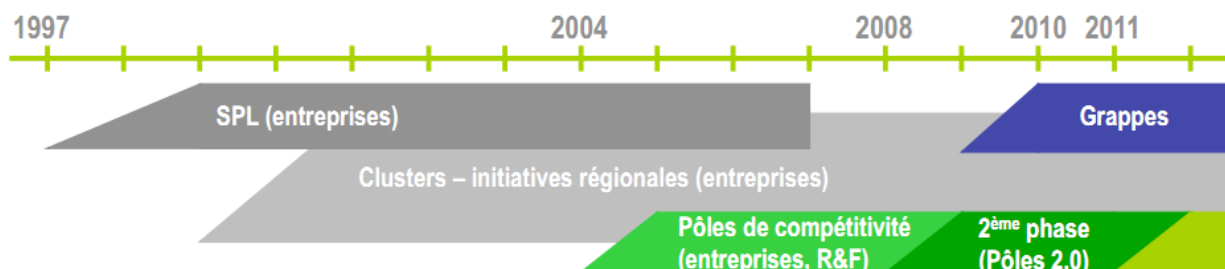
- enhancing the competitiveness of the French economy
- fostering activities, primarily industrial activities, with high technology or creative content in France
- enhancing France's attractiveness
- fostering growth and jobs. [2]

## Cluster policy for innovation

Cluster initiatives are henceforth very popular among policy makers in France, both at the national and the

regional or local levels. They encompass the different dimensions of the public policy: regional, industrial, R&D, innovation, competitiveness policies, embodying the fact that, even as the world becomes increasingly globalized, the local level is basically crucial to foster wealth and economic development.

In France, these cluster-oriented strategies are at odds with the past. Regional and industrial policies were both highly centralized, but strictly apart. The traditional regional policy amounted to a top-down support to the lagging regions, to centralized decisions of industrialization (“Aménagement du Territoire”) governed by the DATAR, the French *National Agency for Spatial Planning*. [1] The industrial policy was mainly sector based, promoting industrial “Grands Projets” implemented by ‘national champions’ gathering most of the R&D and innovation resources and subsidies. This policy vanished, and the rebirth of public policy is gone with the implementation of active cluster strategies. The “Competitiveness Cluster Policy” is the embodiment of this new regional policy, promoting a bottom-up strategy designed to govern public intervention; it is nevertheless complemented by additional devices at the national and regional levels, as showed by the following Figure 1.



**Fig. 1. Cluster policies in France**

Source: DATAR 2011.

Public policy constructed models acknowledging the importance of the local context and the necessity to build on existing resources had been implemented in France before the “Competitiveness Cluster Policy”. By the end of the nineties, a new tool for regional policy, Local Productive Systems (LPS) emerged; it was a first experience of top down pressure, of exogenous – endogenous mix policy, implemented by the DATAR, which is in charge of regional policy and attractiveness of territories. In late 1997, government policy initiated a support to LPS, on a selective basis. [5] 96 LPS were identified in 1998 and 1999 after two calls for projects, and received public funding (up to €3.6 million) from different sources (local and regional authorities, National Fund for Territorial Development, French state

support). In the selective process, the stress was put on geographical concentration of activities and on inter-firms connections and also on pre-existent local organization of cooperation. In a few words, local specific resources must exist prior public support. [1]

This first policy specifically directed towards clusters can be characterized by three main points:

- public support is weak, on financial ground, but meaningful in identifying LPS as an important form of economic organization;
- public support is really selective, as around 680 potential LPS can be identified and only 96 are supported;

- innovation is not at stake with LPS, but some have a positive impact not on R&D as a whole, but rather on the “D” part of R&D. [6]

Nevertheless the LPS policy was a classical regional policy, as it focused on traditional industries, SMEs, and peripheral regions. The main change with the definition of Competitiveness Cluster (CC), is that innovation is at the heart of the regional policy, and thus that regional policy is inextricably linked with industrial, R&D and technological policies. As a consequence, the focus on the local resources is even more important than in the LPS, which were of limited scope.

The R&D projects are basically the core of the activity of the CC. They concretize the whole targets of the new industrial policy, to foster innovation and performance on the one hand, to foster the interactions and interdependences between the firms, the research or training institutions at the local level on the other hand. The incentives implemented, subsidies and tax breaks, are conditioned by the involvement in labeled R&D projects, i.e. projects gathering at least two firms and one research institution and selected by the governance structure to be involved in the calls for R&D projects launched twice a year by the government for the labeled CC.

The government created an Interministerial Fund to endow the calls and finance the projects. According to the CIADT, “the fund’s purpose is to support applied research products targeting the development of products or services with the potential to be launched on the market in the short to medium term”. The FUI has a budget of €720 million for each period of implementation of the policy; its contributors are the Ministries of Industry, Defence, Infrastructures, Agriculture, Health and Spatial Planning. The Fund is complemented by the budget of the Research Agencies up to €1500 million. [1]

Fourteen calls have already been launched by the Fund and 1659 participations of the different CC in the selected R&D projects can be noticed (the fifteenth has been launched; in addition to the R&D projects, some other devices inducing cooperation are financed and object of a call, platforms for instance). [8] This result summarizing the different calls has two faces: a positive, as a significant number of projects has been implemented, and a negative, most of the CC belong on few or no projects at all, that is to say, they do not have any economic reality and so they can be considered as vacant spaces regarding R&D. And one can expect, the distribution of the R&D projects among the CC is heavy tailed, some CC concentrate most of the FUI projects.

### “Grappes” and Regional Clusters

The “Grappes” (literally Clusters) of firms have been created to complement the CC policy and provide a solution in terms of public policy focusing in innovation to these territories unsuited to cooperation dedicated to R&D. A ‘Grappe’ is defined as a network of firms consisting mainly of SMEs and VSEs, deeply rooted locally, often on the same ‘filière’ of production or the same sector, mobilized on a common strategy or project of development. A total of 126 ‘Grappes’ (over 450 applications) were labeled after two calls for proposals launched in October 2009 (42 clusters selected) and June 2010 (84 clusters selected). The success shows that such a device was necessary; previous existing LPS have been labeled under this new policy. This device is certainly more adapted to local context of SMEs or even large firms specialized in production and services than the Competitiveness Cluster policy. [1]

The “Grappes” provide practical services to firms, especially to help them to establish innovative strategies in their markets and to improve their competitiveness. They promote cooperation with other public and private stakeholders, including training, management of employment and skills and innovation.

While CC are focused on R&D and technological innovation, “Grappes” are focusing on actions closer to the market. However, some ‘Grappes’ develop partnerships with CC in areas of similar or complementary activities, to implement the technological innovations of the later on markets. A budget of about €24 million is provided for the ‘Grappes’ policy, supplemented by support of the ‘Caisse des Dépôts’ and OSEO, as well as local governments. Support to each cluster is of €200,000 in average. [1]

CC and “Grappes” are thus the two complementary devices promoted by the government to feed innovation in the French economy.

This cluster oriented policy is finally supplemented by the Regions, which are in France also in charge of economic development. All have developed their own strategy of regional clusters, very different from one region to the other, as the local economic and technological contexts are also various. Nevertheless, the regional clusters generally intend to promote the economic attractiveness of territories, to contribute to the emergence of “filières”, even in their international dimension, to create interactions between education, research and firms. The label they provide guarantee a long term financial and technical support, as well as an increased visibility for the local context.



The PACA region for instance has been very active in policies dedicated to economic development, innovation, ICT. A regional cluster policy developed by the region is the “PRIDES” (Regional Clusters for Innovation and Economic Development), dedicated to innovation in a broad sense (technological, business, organizational etc.), uses of ICT, international development, “RSE”; 29 PRIDES have been created, closely linked with the other cluster policies. For instance, most of the Competitiveness Clusters are also PRIDES, with the same governance and strategy. This is also the case for “Grappes”. This complementarity allows avoiding dispersion of the resources. Some PRIDES are also standing alone, and contribute to the economic development and innovative strength of the region. An evaluation process is also run to assess the efficiency of the PRIDES and the achievement of their commitments. [1]

In France, the two words have even been merged to name the policy, considered as the New Industrial policy. The budgets allocated are not very important regarding public funds for R&D in France, but they represent incentives to build local R&D cooperative projects associating large and small firms, institutes of research, and tools to foster externalities, innovation and growth. The policy has been in fact effective in high-tech clusters, and less adapted to more traditional ones. Complementary tools have been designed, at the national or regional levels, to remedy to this unbalance, but still based on clusters. The ambition of this cluster strategy was in fact to change the organisational design of the innovation process in France, from top-down policy implemented in large firms, towards endogenous interactions and interdependences of local heterogeneous actors, large firms, SMEs, universities and research institutes.

Developments are at work after a first phase of the policy. Incentives are sent for the involvement of different CC in each of the R&D projects, to benefit from potential CC complementarities, and effectively, more and more R&D projects associate different clusters. The policy seems to achieve in some sense the old ‘networked polycentrism’ strategy designed in 2000

by the DATAR to benefit both from concentration, externalities and complementarities, to foster national wealth from efficient clusters.

This process is finally indirectly deepened by the other programs implemented by the government, exceeding highly the cluster policies in terms of budget. For instance, the “Investments for the Future” program, which represents €35 billion, is not explicitly cluster oriented; it is dedicated to universities, research, ICT, industry, SMEs, and allocated through different calls. The objective is always to finance “excellence”. The “Investments for the Future” program tools have come to fit into territories where CC were already an important element of the regional dynamics, illustrating a deep anchorage of the policies for innovation in the same metropolitan areas. The “Investments for the Future” program also aims to broaden the strategic view of CC and in this regard, is consistent with the second phase of the policy (2009-2012). The competitiveness clusters received under that program an additional contribution of €500 million and there are many of them involved in the calls for projects of the program. In January 2013 the government has officially stated that the “Investments for the Future” will be mobilized to support the industrialization process of the CC projects when deciding to pursue the CC policy over a new period. [1]

In fact, these programs are all based on the same observation: the attractiveness of territories and the economic revival require a high degree of co-operation between various actors in both institutional and private sectors. But if they globally aim at the same objective, the question is whether these government measures will be adequate, sufficient or whether additional ones will be needed. In other words, the issue of the consistency between the CC policy and the “Investments for the Future” program remains. The interactive mechanisms are rather complex because they involve different administrative levels, the presence of various institutions and organizations, the use of several programs. Now, the difficulty lies in how lasting regional economic cooperation can be achieved without making the incentive system more complicated.



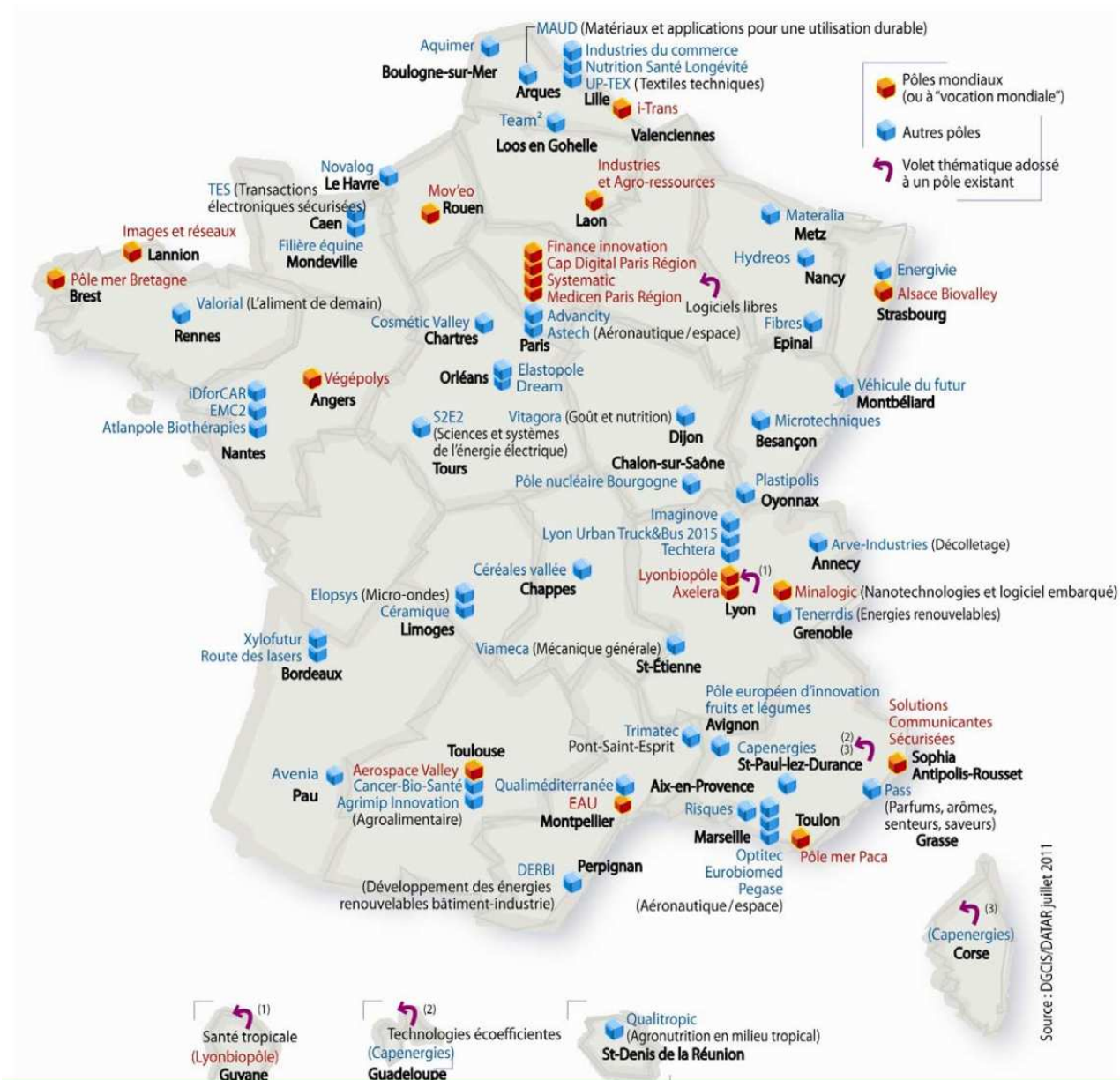
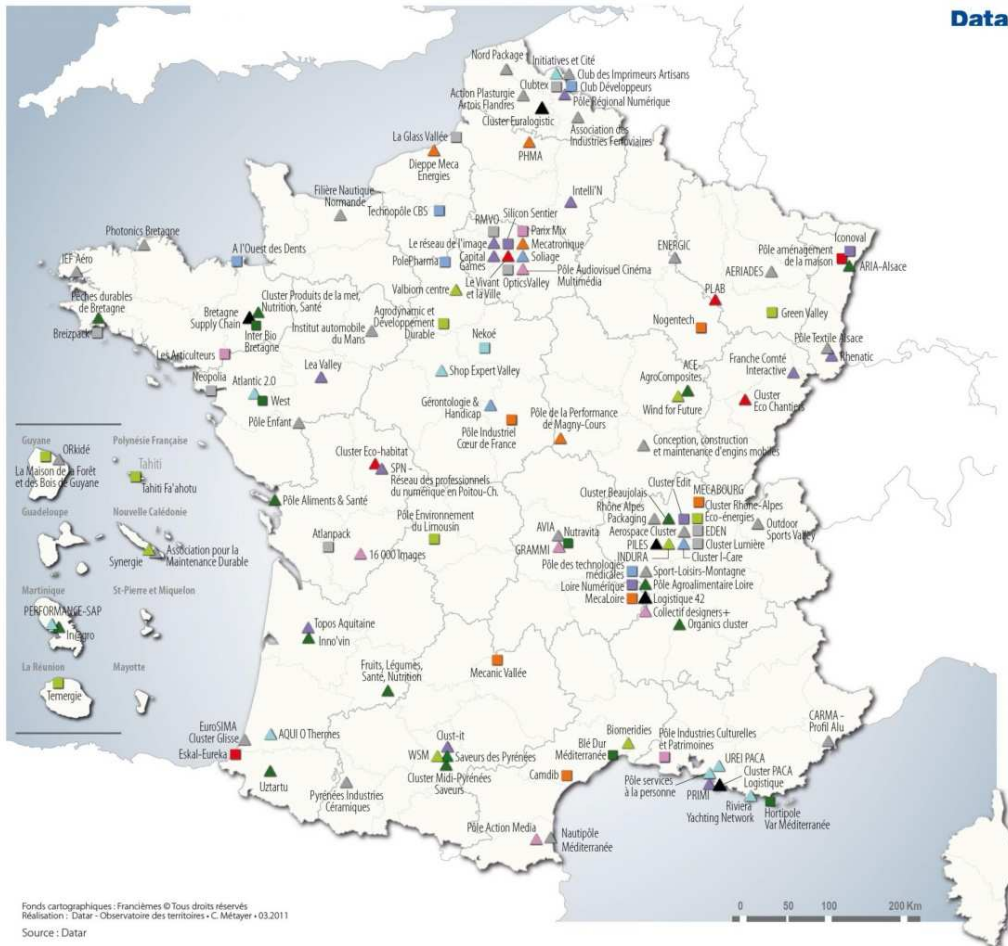


Fig. 2. Map of the 71 French competitiveness clusters (2014)

Source: DGCIS/DATAR; [www.competitivite.gouv.fr](http://www.competitivite.gouv.fr)

## 126 grappes d'entreprises sélectionnées

Datar



### Secteurs d'activité

- |   |   |
|---|---|
| <span style="color: green;">■</span> Agriculture, agroalimentaire et pêche                  | <span style="color: purple;">■</span> Industries créatives et culturelles |
| <span style="color: red;">■</span> Construction et habitat                                  | <span style="color: blue;">■</span> Industries de la santé                |
| <span style="color: grey;">■</span> Industries diverses                                     | <span style="color: orange;">■</span> Mécanique et métallurgie            |
| <span style="color: purple;">■</span> Economie numérique                                    | <span style="color: teal;">■</span> Services                              |
| <span style="color: lightgreen;">■</span> Ecotechnologies, bio-ressources, gestion de l'eau | <span style="color: black;">■</span> Logistique                           |

- Grappes d'entreprises lauréates de la 1<sup>ère</sup> vague d'appel à projets  
△ Grappes d'entreprises lauréates de la 2<sup>ème</sup> vague d'appel à projets



**Fig. 3. "Grappes" Policy**

Source: DGCIS DATAR; [www.competitivite.gouv.fr](http://www.competitivite.gouv.fr)

## The Presence of French Research in Europe and Abroad

In June 2010, the Heads of State and Government of the European Union adopted the Europe 2020 Strategy for “smart, sustainable and inclusive growth”. Presented by the European Commission as early as October 6th of the same year, the Innovation Union is the flagship initiative of the European strategy, aimed at strengthening the entirety of the research and innovation chain and remove the obstacles that prevent ideas and discoveries from reaching the markets.

The new framework research programme, “Horizon 2020”, which will launch in a few months and run from 2014-2020, ushers in a new paradigm. It will bring together, for the first time, all of Europe’s research and innovation programmes (FPRD, Framework Programme for Innovation and Competitiveness, European Institute for Innovation and Technology) in a single framework programme for rationalising funding to foster growth and support projects all along the research and innovation chain. [12]

The strategic agenda “France Europe 2020” proceeds from the same desire to closely interconnect, within a single national strategy, research and innovation policies based on three pillars: scientific excellence, response to societal challenges and industrial primacy, and improved consistency in implementing the aforementioned at the various levels – European, national and territorial.

French research is open to the world, with 46.6% of its publications involving international teams and is ranked 6th worldwide when it comes to scientific publications. Its impact indicator is rising and already above the global average, yet its contribution to total publications in percentage continues to fall, like that of its main European counterparts. France thus needs to improve its visibility, foster student and researcher mobility and develop European and international partnerships.

Within Europe, France is the Number 3 beneficiary of FPRD-7 funding, far behind Germany and the United Kingdom, even though it is the Number 2 contributor to the European Union’s budget, with 16.4%. Despite a success rate that exceeds the European average, the participation rate of French teams over FPRD-7 as a whole reflects a 1.4% slip, emphasizing the need for special effort to be made promptly, in order to step up France’s participation in European projects. [12]

The strategic agenda “France Europe 2020” will offer the implementation of a driving, incentive-building and supportive policy for the development of consistent European, Euro-Mediterranean and international cooperation programmes.

## Conclusions

There are still a number of obstacles to knowledge transfer and value creation in France:

- France is still lacking well developed tools of technology transfer although the “Investissements d’Avenir” were recently launched.
- Technology platforms and clinical research platforms are equally required to enable maturation of ideas and proof of concept testing.
- Start-up funding for companies should go into a common seed fund and a network of start-up funding agencies should be created.
- It is still difficult to develop an IP strategy between public and private actors. A European approach and debate seems to be needed.
- The mobility of the experts from academia is still an obstacle. The CIFRE tool for PhD students should be extended to cover post-doctoral researchers.
- There is an aversion to risk on the side of start-up investors with regard to the biotechnology sector in particular in the early phase of start-up development.
- In the biotechnology sector in France, there is currently no functioning eco-system for start-up support. The number of professionals capable of accompanying start-ups in this sector is limited. The existing experts should receive further support and a pool of expertise needs to be developed.

A number of recommendations regarding the role of SMEs in knowledge transfer activities and how these could be further developed. Through a number of case studies mostly located in the biotechnology sector, the following lessons learned on how to facilitate knowledge transfer and value creation:

- Any such activity must be long-term and follow a logic of consolidation to achieve sustainable competitive advantages on the international level.
- A diverse tool-kit is needed to develop a strategic interface between academic research and entrepreneurial activities (business creation).
- Companies, technology transfer offices and public institutions need to develop a mind-set and processes that bring together public and private sector thinking.
- Know-how on project development and maturation needs to take into account the creativity of public sector research and the dynamics of private sector innovation.
- Genuine partnerships need to be created that bring together supply-push and demand-pull dynamics from the public and private sector.

The Strategic Agenda for Research, Transfer and Innovation, “France Europe 2020”, is aimed to address societal, scientific and technological issues and take up

the challenges of competitiveness. With “France Europe 2020”, France is now equipped with a strategic agenda for research, transfer and innovation that will guide public research support policy over the long term.

“France Europe 2020” is intended to enable the State to fully play its role as strategist, set the priorities for

national programming, simplify organisation, and review research assessment and indicators. The aim is also to optimise coupling and coordination with European programmes, thanks to greater consistency and better involvement, and thus to have a bearing on Europe’s future and enjoy the needed critical mass at the global level.

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