

Andrii Lebid  
Mykola Nazarov

# CIVIC PARTICIPATION TOOLS IN UKRAINE

Teaching guide



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**Reviewers:**

Tuliakov O. O. - Chairman of the Public Organization Board  
"Foundation for Regional Studies," Ph.D. in Pedagogical Sciences  
Chernyavska N.V. – Director of NGO “Sumy Public Circle”

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The teaching guide considers the main tools of civic participation, which are effective means of public influence on authorities' decision-making process. These tools are presented in four forms: monologue, dialogue, polylogue, and synthesizing. The teaching guide is designed for full-time and part-time students of all specialties studying "Democracy: Values, Principles, and Mechanisms". The guide can help social activists, scholars, teachers, and anyone interested in public self-government.

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National Endowment for Democracy

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## Foreword

Civil society development is closely related to the level of cooperation between the authorities and the community in state affairs management. In a developed democratic society, the state defers part of its powers in the state and administrative spheres to self-organized and self-governing structures.

A conscientious and active civil society requires the government to be socially accountable. Public involvement in the preparation and adoption of power decisions contributes to transparency, the intelligibility of the processes, and increased officials' responsibility.

The well-established and coordinated interaction of state and local institutions with citizens facilitate the country's successful development, flexibility, and speed in solving urgent community problems, rapid response, and prevention of threats and challenges.

Mechanisms and tools for developing active citizenship actualize new opportunities in exercising the right to independently solve community pressing problems, allowing for regional, social, cultural, spiritual, and other peculiarities.

This process promotes an increased level of active citizenship through public participation mechanisms and tools, building effective communication channels at the "community - government" level and a synergistic effect in assessing social processes and efficient management of socio-economic and cultural ATC (amalgamated territorial communities) development.

## Classification of citizen types

Personally Responsible Citizen	Citizen-Participant	Justice-Oriented Citizen
<p>The citizen is responsible in his/her public activity</p> <hr/> <p>is officially employed and pays taxes</p> <hr/> <p>observes the laws</p> <hr/> <p>volunteers</p> <hr/>	<p>The citizen is an active participant and organizer of community events</p> <hr/> <p>organizes community activities</p> <hr/> <p>knows how government agencies work</p> <hr/> <p>knows strategies for implementing collective decisions and tasks</p> <hr/>	<p>The citizen critically evaluates social, political, and economic structures</p> <hr/> <p>actively counteracts injustice</p> <hr/> <p>is aware of methods for achieving systemic changes</p> <hr/>
<p>To solve social problems and improve society, people must have good character, be responsible, law-abiding.</p>	<p>To solve social problems and improve society, people must actively participate in community actions and be leaders.</p>	<p>To solve social problems, improve society, people must debate, change systems and inequality structures.</p>

# MY COMMUNITY

People who live in amalgamated communities do not always know the principles of their functioning: who maintains schools and medical institutions, how to elect and recall the headman, how the ATC administration is formed, and how people can control the government actions.



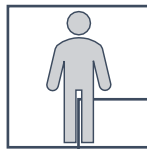
To address the issues of informing ATC residents, [an online game "My Community" was launched, destroying the decentralization myths.](#)

Each of the questions is accompanied by a comment that unfolds the correct answer, contains examples from practice - the most convincing argument, after all. The purpose of the game is to emphasize one of the most important principles of the amalgamated community - the delegation of power and responsibility for the elected ATC leaders and control over their activities and personal participation in community life.



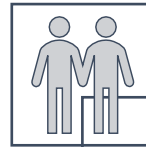
## CIVIC PARTICIPATION TOOLS

One of the tasks of participatory democracy is the development of civil society and the citizens' engagement in making final decisions on issues that directly concern them (exercise of rights, security, recreation, and others).



monologue

- the author has his own opinion, vision, suggestions;
- the author knows neither the thoughts nor the reactions of the addressee;
- the author does not know any ideas or responses of other citizens



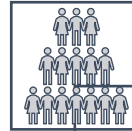
dialogue

- the author has the opportunity to voice his idea, proposal;
- can hear the reaction to them;
- ask clarifying questions and get more information



polylogue

- all participants have the opportunity not only to hear each other, share ideas and suggestions, but also to discuss them and make joint decisions



synthesizing

- a conformed, coordinated in time and space expression of their civic position

Community + authority = result  
formula for successful community development

## Public participation tools

MONOLOGUE



Request for information



Citizens' appeals



Electronic petition



Collective appeals



Local initiative



Public expertise



Civic campaigns



Peaceful gatherings

DIALOGUE



Reception of a deputy, the Mayor



Meeting of a deputy with voters



Sessions of the City Council, executive committees



Annual reports of Mayors, deputies



POLYLOGUE



Public hearings



Public discussions



Public consultations



Consultative-advisory bodies



General meetings of citizens



Bodies of self-organization of the population

SYNTHESI  
ZING



Local referendum

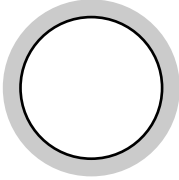


Sociological surveys



Local elections

# ELECTRONIC DEMOCRACY IN UKRAINE: OVERVIEW OF TOOLS



## **HAVE AN ONLINE FORMAT**

Request for information: online form

Citizens' appeals: online form and modifications

Electronic petition

Public participation budgets: online voting

Civic campaigns: online

Reception of officials: online registration

Meeting of a deputy with voters: online-broadcasts

Sessions of the city council, meetings of deputy commissions, the executive committee: online-broadcasts

The Mayor and deputies' reporting: online broadcasts

Public discussions: online discussions and e-mail

Consultative-advisory bodies, working groups: online voting

Sociological surveys: online polls, google forms

Public consultations



## **DO NOT HAVE AN ONLINE FORMAT**

Collective appeal

Budget grant  
competition

Local initiative

Peaceful  
gatherings, pickets,  
protests

Public hearings

Citywide forums

General meetings  
of citizens

Local referendum

Local elections



## **INNOVATIVE**

Open budgets

Open data  
portals

Geoportals of  
cities

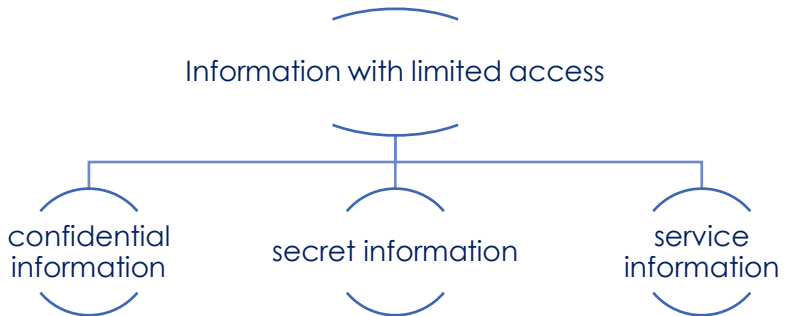


## Request for Information



[Law of Ukraine "About Access to Public Information"](#)

**Public information** is information reflected and documented by any means and on any information carriers, which was obtained or created in the process of performing by power entities their duties provided for by the current legislation or owned by subjects of power, other public information managers.



## Information managers

Subjects of power (public authorities, local governments);

Legal entities financed from the state and local budgets;

If persons exercise the delegated powers of power entities under the law or the contract;

Business entities that hold a dominant position in the market or are endowed with unique or exclusive rights or constitute natural monopolies;

Business entities that have information about the state of the environment; information about the quality of food and household items; about accidents, disasters, dangerous natural phenomena, and other extraordinary events that have occurred or may occur and threaten the health and safety of citizens; additional information of public interest and social necessity.

## Information to be provided

Any public information that is in their possession unless it is information with limited access;

Information on the use of budgetary funds;

Information related to the performance of their duties;

Information on the terms of delivery of goods, services, and prices for them.

## **Making requests for information**

By the public information request [form](https://zakon.rada.gov.ua/laws/show/z0629-11)  
(<https://zakon.rada.gov.ua/laws/show/z0629-11>)

or through the site "Access to the truth"  
(<https://dostup.pravda.com.ua/>)

An electronic request for information is submitted in any form and must contain the following mandatory information:

- name and surname of the requester<sup>1</sup> (for an individual), name (for a legal entity);
- postal address or e-mail address, as well as communication (telephone) number, if any;
- a general description of the information or the type, title, details, or content of the requested document, if known to the requester.

### **The time limit for processing requests for information**

The information manager must respond to a request for information no later than five business days from the request receipt date.

Suppose the request for information is about the necessity to protect the life or liberty of a person regarding the state of the environment, the quality of food and household items, accidents, disasters, dangerous natural phenomena, and other emergency events that have occurred or may occur and threaten the safety of citizens. In that case, the answer must enter no later than 48 hours from acquiring the request.

Suppose the request concerns the provision of a large amount of information or requires the information search among a significant amount of data. In that case, the information manager may extend the request consideration period up to 20 working days by justifying such an extension. The information manager shall notify the

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<sup>1</sup> The law does not require any confirmation of the authenticity of the requester's specified name and surname.

requester in a written form about the term extension no later than five working days from the request receipt date.

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Access to information is ensured through

systematic and prompt information disclosure in official print media

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on official websites on the Internet

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on the unified state web portal of open data

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on information stands

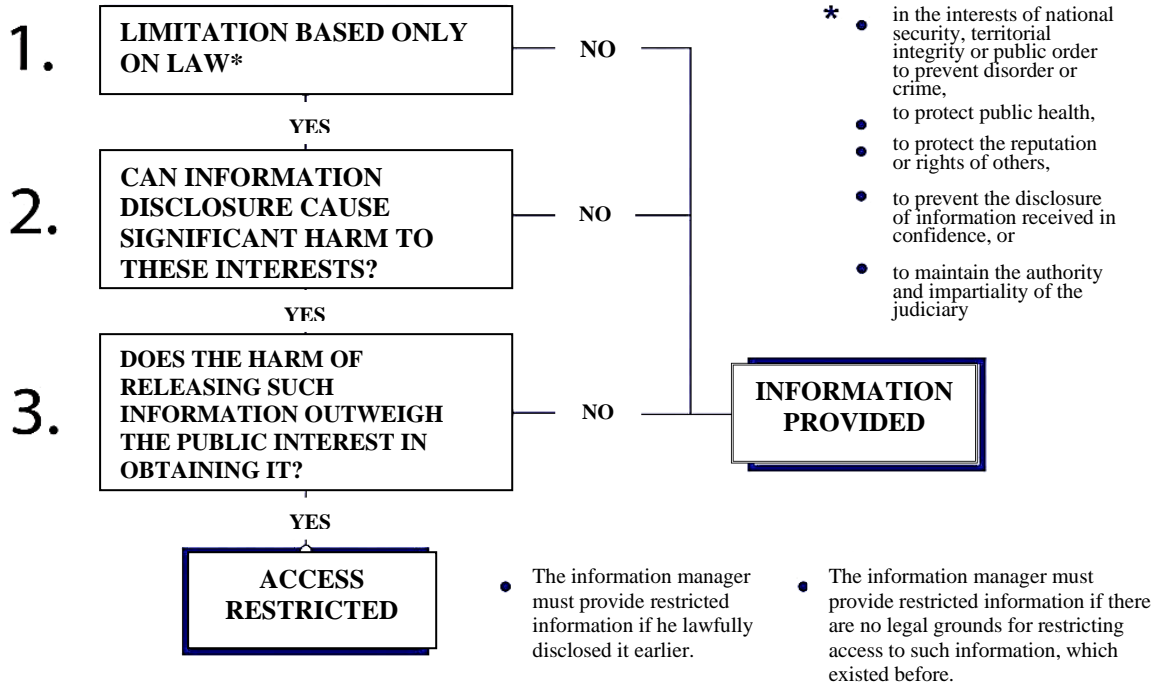
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by providing information on requests for information

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In all cases, a three-part test should be applied when it comes to restricting access to information.

## A THREE-PART TEST







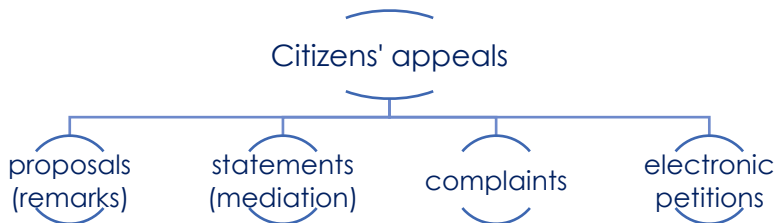
## CITIZENS' APPEALS



[Law of Ukraine "On Citizens' Appeals"](#)

[Law of Ukraine "On Amendments to the Law of Ukraine "On Citizens' Appeals" concerning Electronic Appeals and Electronic Petitions"](#)

Appeals are addressed to public authorities and local self-government bodies, enterprises, institutions, organizations, regardless of their form of ownership, associations of citizens or officials, whose powers include solving the issues raised in the appeals.



**A proposal (remark)** is a citizens' appeal expressing advice, recommendations regarding the activities of public authorities and local government bodies, deputies of all levels, officials, as well as opinions on the regulation of public relations and citizens' living conditions, improvement of the legal basis of public and social life, socio-cultural and other activity spheres of the state and society.

**A statement (mediation)** is a citizen appeal with a request to assist in the realization of their rights and interests or a report on a violation of the current legislation or shortcomings in the activities of enterprises, institutions, organizations, regardless of their form of ownership, people's deputies of Ukraine, deputies of local councils, officials, as well as expressing an opinion on improving their performance. A petition is a written request to recognize a person's respective status, rights, freedoms, Etc.

**A complaint** is an appeal with a demand to restore the rights and protect the legitimate interests of citizens violated by actions (inaction), decisions of state bodies, local authorities, enterprises, institutions, organizations, associations of citizens, officials.

**Appeal:** oral, written; individual, collective

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Oral

It is stated by a citizen at a personal reception, using telephone means through specified contact centers, telephone "hotlines" and is registered by an official

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Written

It is sent by mail or transmitted by a citizen to the appropriate body, institution personally or through a person authorized by him, using the Internet, electronic means

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Appeals not subject to consideration and resolution

- a written request without specifying the place of residence
- a written request, unsigned by the author(s)<sup>2</sup>

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<sup>2</sup> An appeal for which it is impossible to establish authorship is recognized as an anonymous and not considered.

- reapplications by the same body from the same citizen on the same issue, if the former is resolved in essence
- appeals, whose terms of consideration are stipulated by article 17 of the Law of Ukraine, "On Citizens' Appeals"
- individuals' requests recognized by the court as legally incompetent.

### **Term of consideration of citizens' appeals**

Appeals are considered and resolved within a period not exceeding one month from the date of their receipt, and those that do not require additional study - without delay.



However, no later than 15 days from the date of their receipt. The total period for resolving the issues raised in the appeal cannot exceed 45 days.

Upon a substantiated written request of a citizen, the period for considering an appeal may be reduced.



## **ELECTRONIC PETITION**



[Law of Ukraine "On Amendments to the Law of Ukraine "On Citizens' Appeals" concerning Electronic Appeals and Electronic Petitions"](#)

The petition identifies general resonant issues. The electronic petition cannot contain calls for the overthrow of the constitutional order, a violation of the territorial integrity of Ukraine, the

propaganda of war, violence, cruelty, incitement of interethnic, racial, religious hatred, calls for terrorist acts, encroachment on human rights and freedoms.

**The electronic petition contains the following mandatory information:**

- surname, name, patronymic of the author (initiator) of the electronic petition
- e-mail address of the author (initiator) of the electronic petition
- the essence of the appeal stated.

The author (initiator) is responsible for the electronic petition content.

The relevant body or public association website collecting signatures indicates the date of collecting signatures and information on the total number and list of persons who have signed the electronic petition.

## Who can citizens apply to with electronic petitions?



The President of Ukraine  
<https://petition.president.gov.ua/>



The Verkhovna Rada of Ukraine  
<https://itd.rada.gov.ua/services/Petitions/>



The Cabinet of Ministers of Ukraine  
<https://petition.kmu.gov.ua/>



Local self-government bodies  
<https://e-dem.in.ua/>

The electronic petition is published on the official website within two working days from its sending by the author (initiator). The date of publication of the electronic petition on the official website is the beginning of collecting signatures in its support. Consideration by the relevant body of an electronic petition, which has received the required number of votes in support of it within the specified time limit, is performed without delay, but no later than ten working days from the date of publication of the start of its consideration.

## How many signatures are required for a petition to be considered?

To whom is the petition addressed?	Number of signatures
The President of Ukraine The Verkhovna Rada of Ukraine The Cabinet of Ministers of Ukraine	25 thousand
A local self-government body	up to 1 thousand inhabitants - at least 50 signatures 1-5 thousand inhabitants - at least 75 signatures 5-50 thousand inhabitants - at least 100 signatures 100-500 thousand inhabitants - at least 250 signatures 500 thousand - 1 million inhabitants - at least 500 signatures more than 1 million inhabitants - at least 1000 signatures

An electronic petition addressed to the President of Ukraine, the Verkhovna Rada of Ukraine, and the Cabinet of Ministers of Ukraine, respectively, shall be considered subject to collecting at least 25,000 signatures in its support within no more than three months from the date of the petition publication. The territorial community charter determines requirements for the number of signatures of citizens supporting an electronic petition to a local government and the deadline for collecting signatures.



## LOCAL INITIATIVE



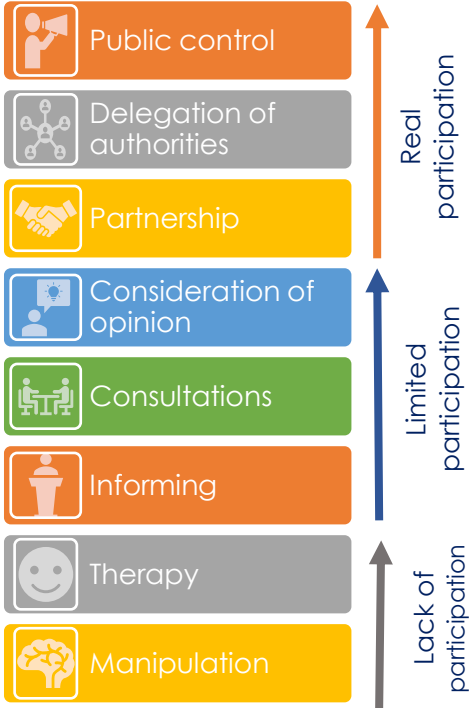
## Law of Ukraine “On Local Self-Government in Ukraine”

The right of residents to participate in decision-making concerning their development and the development of the places where they live is enshrined at the international and national levels.

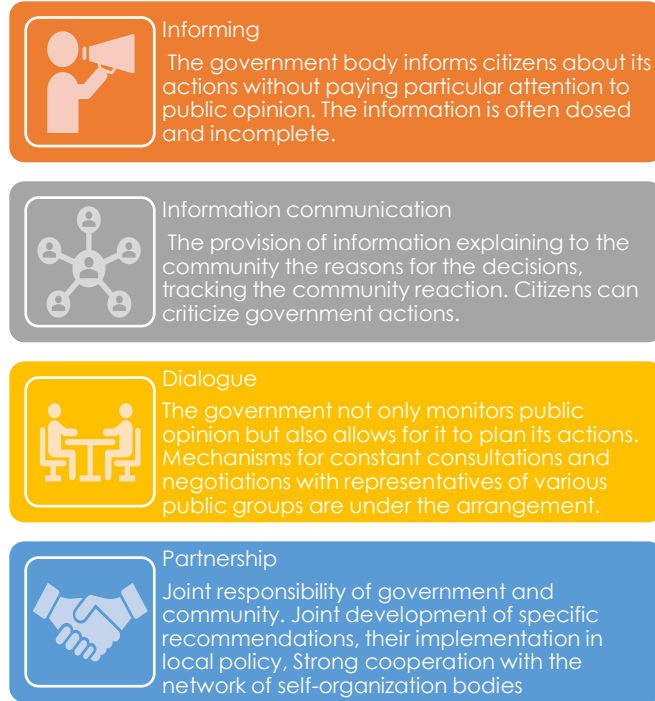
**Local initiatives** are one of the forms of direct citizen participation in local self-government. It is a form of expressing the will of territorial community members, which initiates the consideration of any local importance issue by the city, village, and settlement council.

**The involvement of citizens** is a complex of tools and technologies that allows involving territorial community members in decision-making within the community competence and the implementation of real self-government, guaranteed by law. Alternatively, it signifies expert, consulting, and other local community resources to solve local problems.

## The scale of public participation



## The level of citizen involvement



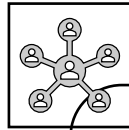


## Methods for involving citizens



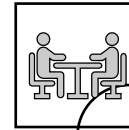
### Informing

- Briefings
- Open council sessions
- Open-door days
- Reference centers
- Reports
- Press conferences
- Website



### Information communication

- Questioning, interviews
- Hotlines, telephone helplines
- Chat rooms
- Public debate
- Citizens' appeals
- Forums
- Public receptions



### Dialogue, partnership

- Public, expert commissions
- Supervisory boards
- Ombudsman
- Residents' associations
- Profile committees, commissions, councils
- Open decision-making events

## The local initiative

The subject of local initiative	As a local initiative, territorial community members can sit over the council consideration of any issue referred to local self-government jurisdiction.
Cannot be the subject of local initiative	<ol style="list-style-type: none"><li>1) proposals contradicting the Constitution and the current legislation of Ukraine;</li><li>2) recommendations, the implementation of which concerns territories outside the jurisdiction of the respective council;</li><li>3) issues which, under the current legislation, are resolved by the council only with the consent of the territorial community (general meeting) of the village, settlement, city or based on the results of the local referendum;</li><li>4) issues of the personal life of citizens.</li></ol>

The local initiative must be <sup>1)</sup> **executed in writing** <sup>2)</sup> **as a draft of the council's relevant decision.**

# SCHEDULED ESTABLISHMENT AND IMPLEMENTATION OF A LOCAL INITIATIVE

- 1** To inform the Sumy City Council (from now on SCC) five calendar days before the constituent assembly of citizens about the time, place, and purpose of the meeting
- 2** To announce within ten calendar days after the constituent assembly about the creation of the SCC initiative group
- 3** The SCC Secretary, within five working days from receiving the notification, checks the documents and registers the local initiative
- 4** Within ten working days from the moment of registration of the local initiative, the SCC acquires the complete package of documents
- 5** Within three working days from the date of receipt, the SCC executive bodies provide Council Secretary's conclusions.
- 6** In detecting shortcomings – a group of citizens who formed the local initiative is given five working days for their elimination, as reported in the SCC secretary's written response.
- 7** Registration of the initiative
- 8** Within two working days, the SCC publishes a draft decision proposed by the local initiative
- 9** Within three working days after the registration of the local initiative, the Council Secretary sends the draft decision for consideration by the relevant standing committees and Council executive bodies by affiliation.
- 10** The initiative consideration occurs at the regular SCC meeting but not earlier than 20 working days after announcing the initiative.
- 11** Consideration of the draft decision at the SCC plenary session.
- 12** A decision copy, which has entered into force, must be available in the initiative group's authorized representative within ten days.



## PUBLIC EXPERTISE (EXAMINATION)



[Law of Ukraine "On Approval of the Procedure for Facilitating Public Examination of the Executive Bodies' Activities"](#)

Public expertise of executive body activity can be carried out by the public council under which it is formed and by civil society institutes.

**Public expertise of the executive bodies' activities** – is the performance appraisal by the Civil Society Institutes (CSIs), public councils of the executive power bodies, the effectiveness of their decision-making and implementation, preparing proposals for solving socially significant problems for the administrative bodies to consider them in their operation.

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The Civil  
Society  
Institutes

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public associations

---

trade unions and their associations

---

creative unions and their associations

---

employers' organizations and their  
associations

---

charitable and religious organizations

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The CSI initiating public expertise in a written request must indicate:

- its name, information on legalization, location and e-mail address;
- subject and purpose of public scrutiny;
- list of documents required for public examination;
- the address to which the response to the request enters.

The Civil Society Institute submits a copy of the meeting minutes about deciding to conduct public expertise.

The executive body, after receiving a written request from the civil society institution, the public council for public expertise:

- 1) issues within a week an order (instruction) on conducting such an examination;
- 2) forms, if necessary, a working group to prepare materials involving representatives of the civil society institute, which initiates the public examination;
- 3) places within a week the information on the request for public examination and the measures undertaken by the executive authority to facilitate its conduct on its website;
- 4) submits materials to the civil society institute based on the examination results.

A public examination may be refused in case if

- its subject and purpose contradict the legislation;
- its subject and purpose go beyond the competence of the relevant executive authority;
- the request does not meet the requirements specified in clause 3 of the Procedure;
- the administrative body officials or their close relatives are the founders or members of the governing bodies of the relevant CSI, public council.

Expert proposals prepared on the results of public expertise are submitted to the executive power body in written and electronic form, indicating:

information about	sound appraisal of	proposals on
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> initiator of public expertise	<input type="checkbox"/> activity of the executive authority	<input type="checkbox"/> solving socially significant problems
<input type="checkbox"/> PE subject and purpose	<input type="checkbox"/> efficiency in making and implementing decisions	<input type="checkbox"/> increased effectiveness of executive body
<input type="checkbox"/> experts who carried out the examination	<input type="checkbox"/> exercising power	

### Stages of public examination



After receiving expert proposals, the executive body sends information on expert recommendations in the written and electronic form to the Secretariat of the Cabinet of Ministers of Ukraine for posting on the government website under the heading "Civil Society and Power." as well as the measures approved by the executive authority for the implementation of expert proposals and the response to the CSI executive authority.



## PEACEFUL ASSEMBLIES



Art. 39 of the Constitution of Ukraine

[Law of Ukraine "On Local Self-Government in Ukraine"](#)

**Peaceful assemblies** – are any public events held in a public place peacefully, without weapons.

### Peaceful Assemblies



gatherings



rallies

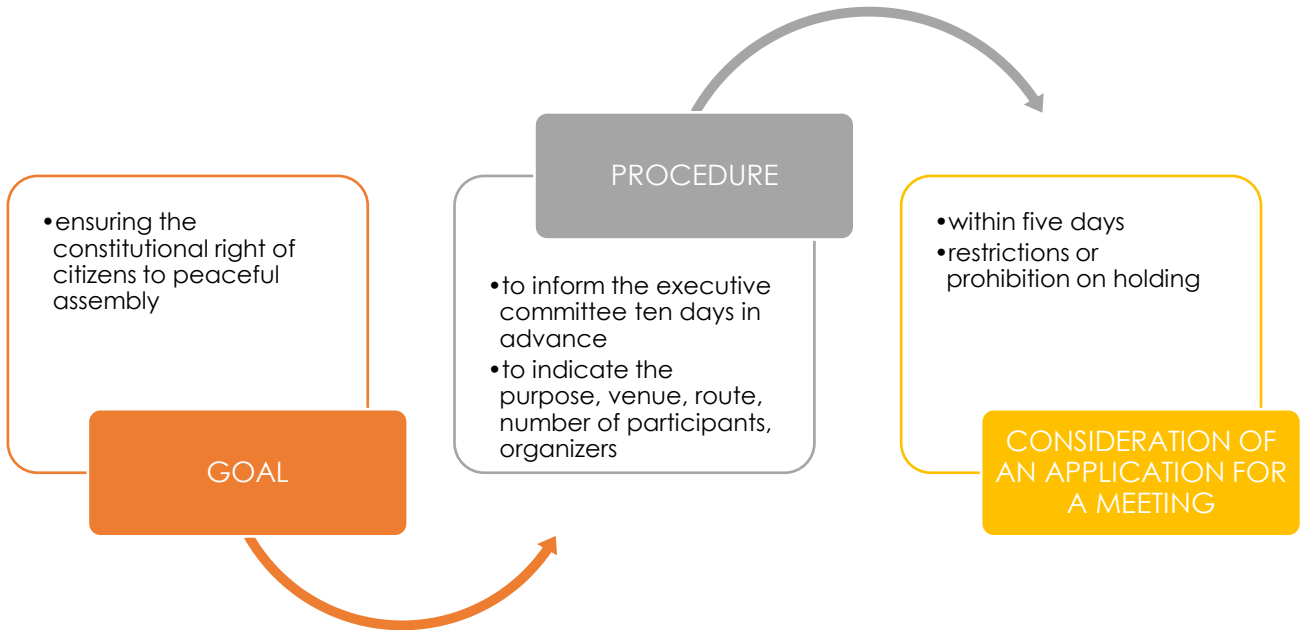


demonstrations



picketing

Peaceful assemblies occur in forms not prohibited by law to express a personal, civic or political position on any issue. An assembly is considered peaceful if its organizers have peaceful intentions.





The term "peaceful" also includes behavior that offends or irritates individuals who disagree with the ideas or statements supported by the assembly.

One that **does not have a peaceful nature** or has lost it is an assembly, whose participants on a massive scale intentionally use physical force, weapons, or other dangerous means to harm the life, health, or property of others.

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The order established for peaceful assemblies does not apply to

gatherings for recreation, as well as social, festive, and entertaining events, wedding processions, funerals, concerts

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general meetings of residents of the village (villages), township, city to resolve issues of local importance

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worship services, religious rites, ceremonies, and processions,

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meetings of the workforce, meetings of statutory governing bodies of legal entities, associations of citizens, meetings with voters

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Who can ban a peaceful assembly?

Only a court can prohibit a peaceful assembly. Cases prohibiting peaceful rallies are considered in the first instance by district administrative courts.

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On what grounds can a peaceful assembly be banned?

Peaceful assembly may be prohibited only in the interests of national security and public order with the aim of:

- preventing disorder or crime;
- to protect public health;
- to protect the rights and freedoms of other people.

?

Are there any restrictions on the number of participants?

**The minimum number of participants in a peaceful assembly** has not been established. Even one person can exercise his/her right to a peaceful meeting.

The legislation does not contain any restrictions on the **maximum number of participants in a peaceful assembly**; however, in practice, the courts may prohibit a peaceful assembly if in the venue it is impossible to accommodate the number of participants claimed by the organizers.

?

Are there any restrictions on the form, time, and place of a peaceful assembly?

Regarding the form and goal of a peaceful assembly

There are no restrictions on the form of a peaceful assembly. It can be held in a picket, rally, demonstration, procession, or another form

of peaceful assembly determined by the organizer. There are also no peculiarities regarding the purpose of a peaceful assembly. A peaceful community can pursue a goal to express a political or public position, but the procedure for organizing and conducting such actions will be the same.

#### Regarding the time of a peaceful assembly

A peaceful meeting can be held at any time specified in the message by the organizer of peaceful assemblies. If a peaceful assembly is planned to be held at night near residential buildings, then the organizers and participants of the peaceful assembly should refrain from using sound-amplifying equipment.

#### Regarding the place of peaceful assembly

A peaceful assembly can be held in any public place.

?

           In which cases is notification not mandatory?

The announcement of a peaceful assembly is not required for a spontaneous peaceful assembly. A *spontaneous peaceful assembly* is a peaceful assembly triggered by an event that could not have been foreseen in advance to communicate the intention to hold a meeting without prior notice or invitation.

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A peaceful assembly is not allowed

at high-risk facilities, whose territory is closed for free access

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on the terrain of main pipelines transiting oil, gas, and products of their processing

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on the domain of the defense lands closed for free access

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on permanent airstrips, heliports, runways, and taxiways of standing airports (airfields)

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on the territories of nuclear installations or facilities intended for radioactive waste management

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## DIALOGUE TOOLS FOR PUBLIC PARTICIPATION



[Law of Ukraine "On Local Self-Government in Ukraine"](#)

Statutes of territorial communities

Work plans for managers and officials

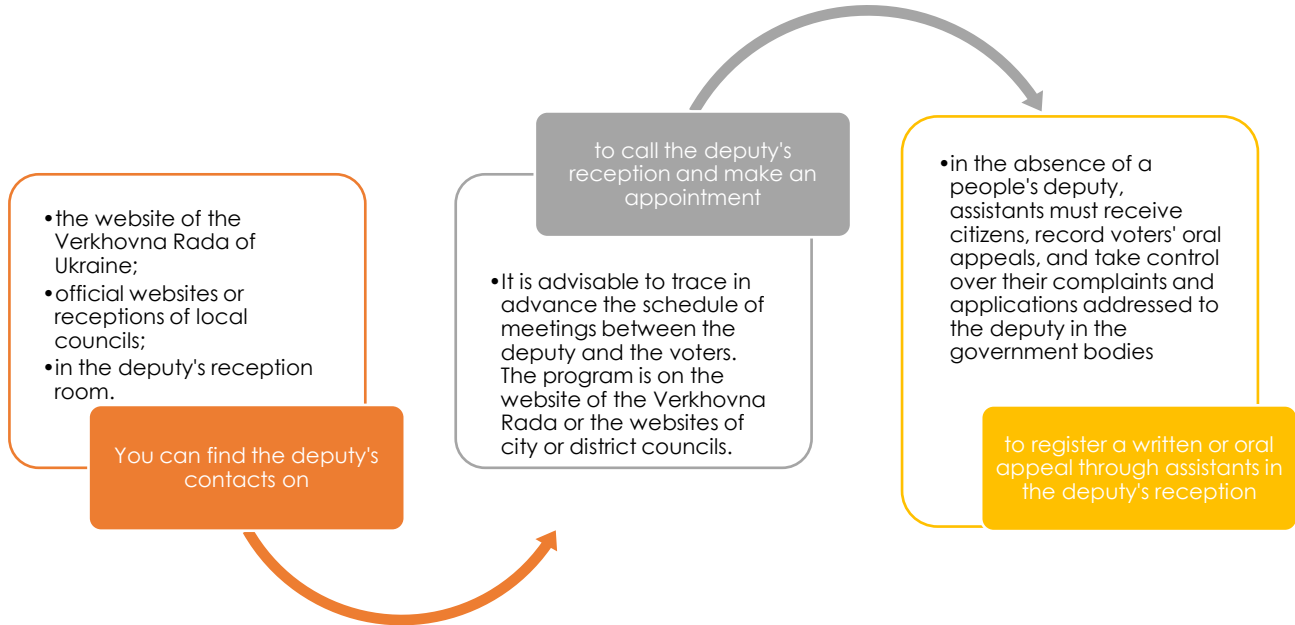
Plans for the personal reception of citizens by deputies



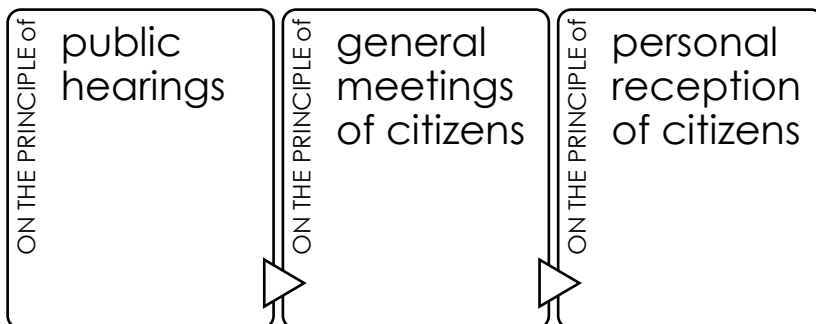
These tools aim to study residents' opinions, wishes, recommendations, and comments, on whose basis an appropriate action plan should be developed to implement the proposals or their motivated rejection.

A different result may be the submission of parliamentary inquiries or appeals on merits.

## How to get an appointment with your deputy?



How do the tools work?



What questions are better to address?

When citizens' rights and interests within the competence of the elected representative are violated.

If necessary, the deputy will redirect a voter's appeal to the competent authorities. However, the deputy **has no right** to ignore it.

If you did not manage to meet the deputy, it is possible to write an appeal to him.

An appeal to a deputy contains

- surname, name, patronymic of the deputy to whom you are applying;
- address where you are sending a request;
- your last name, first name, patronymic, residential address, telephone;
- the essence of the problem;
- signature, date;
- A list of documents attached to the letter.

You can e-mail the deputy's mail or the website of the corresponding council.



## PUBLIC HEARINGS

[Cabinet of Ministers of Ukraine \(CMU\) Resolution “On approval of the Procedure for holding public hearings in the process of environmental impact assessment.”](#)



[CMU Resolution “On approval of the Procedure for holding public hearings on taking into account public interests during the development of draft urban planning documentation at the local level.”](#)

**Public hearings** are an opportunity for the local community to directly participate in the implementation of local self-government, i.e., raising issues and making proposals on local importance items. Public hearings are held as meetings of community members with local council deputies and local self-government officials, as well as with officials of enterprises, institutions, and organizations of communal ownership.

Subject of public hearings

Subject of public hearings



Projects and programs executed or planned in the territorial community

Draft statute of the territorial community

Reports of deputies and officials of local self-government

Protection of cultural heritage sites

Reports of officials of enterprises, institutions, and organizations of communal ownership

Other local issues

**Public hearings initiator** is an initiative group consisting of:

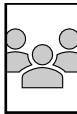
- members of the territorial community who have reached 18 years of age;



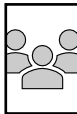
- at least three public organizations, BSP (bodies of self-organization of the population), condominiums (association of co-owners of an apartment house);
- at least five private law legal entities or private individuals;
- chairman of the city council, 1/5 of the local board, executive authorities

Based on the results of the considered proposals from public hearings, **one of the following decisions is made:**

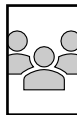
- to take into account the recommendations;
- to reject proposals with the obligatory indication of the reasons for such rejection;
- to consider the suggestions partially (in this case, the reasons for the decision, measures to implement a part of the considered proposal, and responsible officials are specified).



Public hearings are held at least once a year

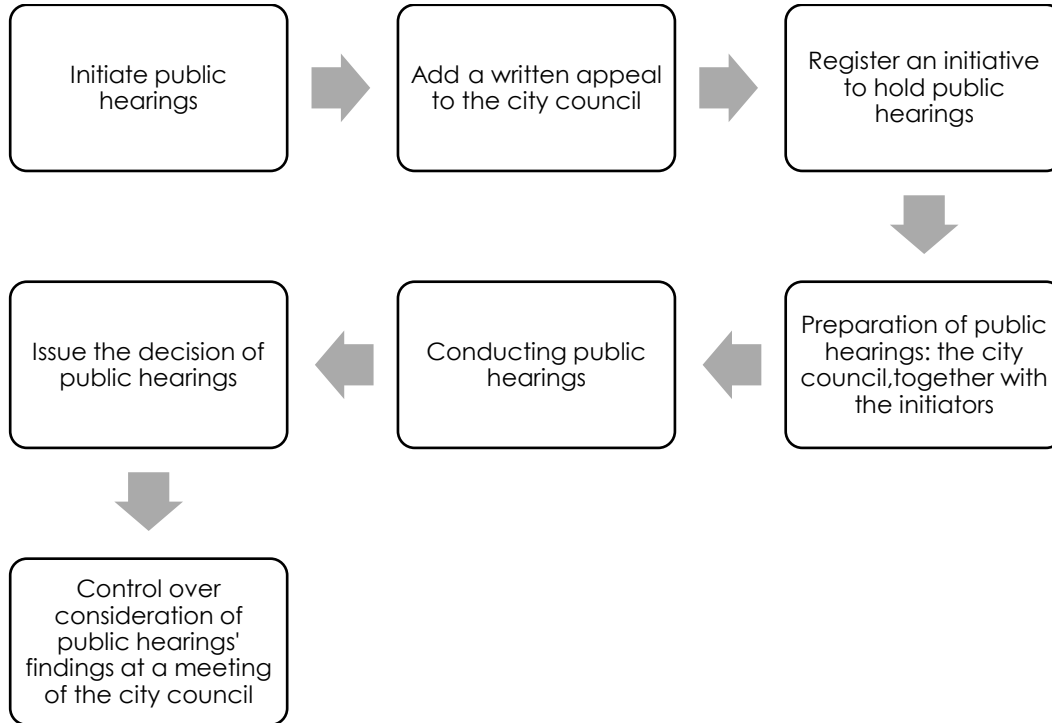


Proposals made as a result of public hearings are subject to mandatory consideration by local government bodies



The procedure for organizing public hearings is determined by the statute of the territorial community

## How to hold public hearings?





## CONSULTATIVE-ADVISORY BODIES

[CMU Resolution "On ensuring public participation in the formation and implementation of public policy."](#)



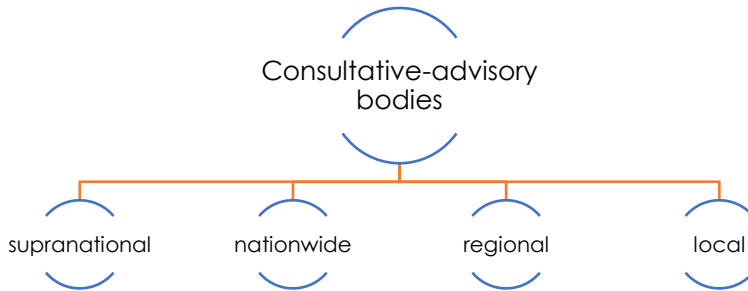
[CMU Resolution "On amendments to the resolution of the Cabinet of Ministers of Ukraine of November 3, 2010, № 996."](#)

[CMU Resolution "Issues of advisory, consultative and other subsidiary bodies established by the Cabinet of Ministers of Ukraine."](#)

**A consultative-advisory body** is a collegial organization or body created under a public authority on a permanent or temporary basis. Its objective is to ensure citizens' participation in state and public affairs management through consultations, preliminary discussion of issues within the public authority competence, and social monitoring of its activities.

The presence of numerous consultative-advisory bodies is an essential and constitutionally proven legal experience, a mechanism for the interaction between public authorities and the public. The most significant advantage of consultative-advisory bodies is that the public influence on the adoption of regulatory legal acts by public authorities is permanent and systematic, which allows to regularly involve the public in the normative and project activity of public

authorities.



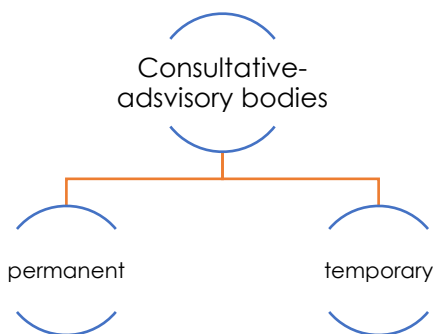
**The supranational consultative-advisory bodies** arise under international organizations and supranational associations and their statutory bodies. These bodies' feature is the global dimension of their membership, created mainly on a quota basis with active participation in this process of the member states of the relevant international association (Venice Commission).

**The nationwide consultative-advisory bodies** emerge affiliated to the central government bodies. The main tasks of the consultative-advisory bodies are

- assistance in ensuring action coordination of the executive authorities on the issues within their competence;
- preparation of proposals for the formation and implementation of state policy in the relevant area;
- determination of ways, mechanisms, and methods for solving problematic issues arising in state policy performance in the appropriate sphere;
- increased efficiency of central and local executive authorities;
- Improving the regulatory framework on the related matters.

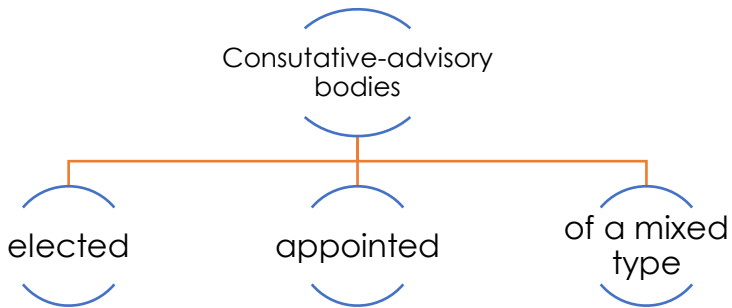
**The regional consultative-advisory bodies** emerge attached to regional public authorities to ensure an integrated approach to implementing functions assigned to them. They consider the interests of local executive authorities, local governments, enterprises, institutions, organizations, and citizens when regional public authorities perform certain of their functions or fulfill specific tasks assigned to them within a particular region.

**The local consultative-advisory bodies** appear attached to local public authorities and local self-government bodies and are the closest in their activities to the public.



**The permanent consultative-advisory bodies** are formed for an indefinite period to assist public authorities in adopting normative legal acts in a particular area of public relations. The specificity of these bodies is the obligatory holding of meetings with a distinct chronological frequency. Their work schedule is of a long-term nature and is usually developed considering the plans of normative and design activity of public authorities with which they interact.

**The temporarily acting consultative-advisory bodies** are formed for a certain period to solve specific tasks to prepare a draft of the necessary regulatory legal act, after which they cease their activities.



**The elected consultative-advisory bodies**, whose composition is elected by the public when civil society institutions nominate candidates to the consultative-advisory body or engage self-nominated candidates for participation in the consultative-advisory body.

**The appointed consultative-advisory bodies** are such structures whose composition is assigned by public authorities. There is a possibility of joint participation of the public and the public authority body in the appointment of its members when civil society institutions submit candidates to the public authority body. On the grounds of the submitted proposals, the latter issues a legal act on the appointment of the consultative-advisory body members.

**The consultative-advisory bodies of a mixed type** are structures where the public elects part of the consultative-advisory body members, and public authorities appoint the other part.

The legal basis for the creation and operation of consultative-advisory bodies is the Constitution of Ukraine, laws, and other regulatory legal acts. Public consultations are held to involve nationals in city life management, providing them with free access to

information on the activities of the city council executive bodies, as well as ensuring publicity, openness, and transparency of the specified bodies' activities.

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The purpose of consultative -advisory bodies is	organization of execution of authorities' acts
	coordination of the subjects' activities on the issues, the solution of which is within their competence

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## BODIES OF SELF-ORGANIZATION OF THE POPULATION



[Law of Ukraine "On bodies of self-organization of the population"](#)

**The body of self-organization of the population (BSP)** is a representative body created by residents who legally reside on the territory of a village, city, or their parts to solve the problems provided by the Law of Ukraine "On bodies of self-organization of the population."

BSPs combine the features of both public authority and public organization: on the one hand, they participate in resolving issues of local importance, which stipulates the self-organization body of the population to have certain powers vested by the public authority - the city council; as well as the fact that the bodies of self-organization of the population exercise their powers within the corresponding territory; on the other hand, BSPs work voluntarily, their activities are based on the principles of voluntariness regarding the assumption of certain powers of the public authorities.

Bodies of self-organization of the city population can be divided into three groups:



BSPs of settlements	BSPs of city districts	BSPs created by part of locality inhabitants
<ul style="list-style-type: none"> <li>• they include, for example, settlement committees. These committees are created by residents of settlements located within the administrative boundaries of the locality</li> </ul>	<ul style="list-style-type: none"> <li>• residents of these areas form a territorial community, which, however, does not act as an independent subject of local self-government</li> </ul>	<ul style="list-style-type: none"> <li>• house, street, residential quarter committees, as well as neighborhood committees</li> </ul>

#### Tasks of self-organization bodies of the population:

- creating conditions for residents’ participation in resolving issues of local importance within the Constitution and laws of Ukraine;
- meeting the social, cultural, household, and other residents’ needs by assisting them in providing appropriate services;
- participation in the implementation of socio-economic, cultural development of the respective territory, other local programs.

The main tasks of the bodies of self-organization of the population are conditioned by the objectives and functions of local self-government and local self-government bodies.



Who has the right to elect and be elected to the body of self-organization of the population?

Residents who legally reside on the respective territory may elect and be elected to a self-organizing body of the population.

Any restrictions touching the right of residents to participate in the relevant body of self-organization of the population depending on their race, color, political, religious and other beliefs, sex, ethnic and social origin, property status, language, or other characteristics are prohibited.

The law provides for restrictions on the right to vote in elections of bodies of self-organization of the population.

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Voting  
qualifications

residence qualification - the requirement to live in the relevant territory legally

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age qualification - a requirement for a resident to reach eighteen years of age

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qualification of legal capacity - residents who have been declared legally incompetent by the court do not take part in the elections of the body of self-organization of the population

---

The specified restrictions are necessary since they ensure the conscious expression of inhabitants' will during the election of the body of self-organization of the population.

Here are the principles underlying the organization and activities of self-organization of the population:

**The principle of legality:** BSPs are organized and operate only on the basis and in the manner stipulated by the Constitution and laws of Ukraine, by the other acts that constitute the legal basis for their organization and activities.

**The principle of publicity:** openness and transparency of BSP activities, providing for timely communication of their decisions to residents of the relevant territory, who have the right to obtain information about the BSP operation to the full extent and without any obstacles.

**Elective principle:**

- a) the BSP election based on universal, equal voting by secret ballot of residents who legally reside in the relevant territory;
- b) limitation of the term of BSP office to the term of tenure of the corresponding local council.

**The principle of voluntariness regarding taking some city council's powers:** prohibition to impose on the BSP duties that are not provided for by the Regulations on the body or whose implementation did not get its prior consent.

**The principle of territoriality:** the possibility to shape a BSP exclusively on an area basis. Thus, it is prohibited to create bodies of self-organization of the population on a functional, sectoral, or another basis.

**The principle of accountability and responsibility** to the corresponding councils:

- a) the right of the city council and its executive bodies to exercise control over the BSP financial activities within the scope of their powers;
- b) the right of the relevant city council, which permitted to create BSP, to terminate its activities ahead of schedule in

- case of failure to comply with the decisions of the council, its executive committee;
- c) the right of the city council to exercise control over the implementation of the powers granted by the BSP.

**The principle of accountability, ownership,** and responsibility to residents who have elected a body of self-organization of the population:

- a) BSP's duty to periodically report on its activities at people's assembly (conference) at the place of residence;
- b) the right of a meeting (conference) of inhabitants at the place of residence to exercise control over BSP financial activities;
- c) the right of a meeting (conference) of residents at the place of residence to terminate the BSP powers in case of noncompliance with the decisions of the meeting (conference) of residents at the place of residence or non-fulfillment of its powers.

**The principle of financial and organizational independence:**

- a) a ban to executive bodies, local self-government bodies, and their officials on interfering in BSP activities, except in cases stipulated by law;
- b) the right for BSP to independently use its financial resources for the purposes specified in the Regulations on the body and the decisions of the relevant local council.

**?**

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Within what territory does the BSP operate?

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Territories  
(boundaries)  
of

a settlement (inhabited locality)

---

a residential quarter, several, one or part of  
the street with adjacent lanes in places of  
individual construction

---

a separate neighborhood, a housing and  
maintenance organization in the cities

---

one or more city districts

---

houses (several houses) in the state and public  
housing stock and housing cooperatives

---

The territory in which the body of self-organization of the population operates is determined by the decision of the local council, which permitted its creation.



## LOCAL REFERENDUM



[Law of Ukraine "On Local Self-Government in Ukraine"](#)

**A local referendum** is a form of territorial community decision-making on issues related to local self-government jurisdiction through direct voting.

A referendum is a way of solving topical issues of state and local importance. A nation or community can directly exercise its sovereign power by voting. Thus, the principle of popular sovereignty is being implemented, which is the basis of the constitutional system. In this way, the people and the territorial community can solve state and community development issues. The presence of constitutional and legislative regulation and implementing the institution of a referendum, primarily at the local level, is a sign of any democratic state and developed civil society.

One of the first laws of independent Ukraine was the Law of Ukraine "On All-Ukrainian and Local Referendums," dated July 3, 1991. Under the provisions of this law, two all-Ukrainian referendums and more than two hundred local referendums took place.

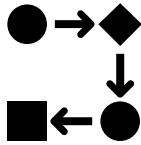
With the adoption of the new law "On the All-Ukrainian Referendum" on November 12, 2012, this law lost its force. The new law benefited only an imperative referendum, excluding the basis for holding consultative plebiscites.

On April 6, 2018, the Constitutional Court of Ukraine decided on the unconstitutionality of the Law of Ukraine "On the All-Ukrainian

Referendum" dated November 12, 2012, due to violation of its consideration and adoption. Based on the recognition of the law's aim illegitimacy and the inconsistency of its provisions to the requirements of the Constitution of Ukraine, the Constitutional Court of Ukraine concluded that this law completely contradicts the Basic Law of Ukraine.

Thus, after the decision of the Constitutional Court of Ukraine № 4-r / 2018 in the legislation regulating the forms of direct democracy in Ukraine, there appeared a gap for constitutional norms that establish the possibility of holding all-Ukrainian and local referendums. There are no legislative possibilities of a procedural nature that would set the procedures for conducting any referendum in Ukraine.

Territorial communities cannot fully exercise their sovereignty due to the lack of a law on local referendum.



## AFTERWORD

Participatory tools are an effective mechanism for social mobilization in communities. Social mobilization is an action based on an awareness of the human factor's importance and is aimed at achieving optimal involvement, use, and enhancement of human potential.

Social mobilization is a planned process in which all major stakeholders in society work together to achieve a common goal.

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Social  
mobilization  
tools

Gaining practical experience in democratic leadership, effective project management, and other public initiatives

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Teaching community activists the skills of democratic leadership, social partnership, planning, and project activity

---

Analysis of the situation by the initiative group and community leaders

---

Informing the population about the benefits of cooperation in solving local problems

---

How to assess the readiness of society for social mobilization?  
Criteria.



**Political support of the head of the community.**

The results of social mobilization, which affect community self-organization, depend on the community leader's strategic support of the principles of democracy at the local level, transparent and constructive partnership with the community based on consensus and dialogue.

**The openness of the community leadership to cooperation** when discussing urgent community issues in the format of open and equal dialogue.

**Community awareness level.**

It is necessary to ensure a high level of public awareness about the actual situation in the community, the cause-and-effect relationships of problems, and the possibilities of their solution.

**Availability of leadership potential in the community.**

The community must have leaders who are ready to revitalize it voluntarily. It takes time and effort to train leaders.

**The level of community cohesion and identity.**

In the absence of manifestations of local patriotism, the involvement of the population is unstable and short-term. Local patriotism helps strengthen the willingness of community residents to volunteer.

**The level of residents' self-discipline** is the basis of viability and capacity of community initiatives and projects. This criterion allows at any time to delegate tasks to community members and assess the actual human resource of the community.



## WORKSHOP

### **Workshop №1.**

Among the electronic petitions for which the collection of signatures continues on the [Unified system of local petitions](#) portal, find:

1. Those that, in your opinion, are more likely to be supported by citizens;
2. Those which, in your opinion, have the best chance of being supported by the government bodies;
3. Those which are submitted to a government body within whose competence this issue does not fall;
4. Those submitted as a petition, but the point they raise can be resolved through other more effective tools;
5. The category of petitions which makes the most of them, the most popular among residents.

### **Workshop №2.**

Analysis of city budgets using the tool "[Open budget.](#)"

What is the total budget for your city?

#### INCOME

What are the primary sources of revenue for your city budget? Name the most income items. From where do the most official transfers come? Name the most sources of tax revenue.

#### EXPENSES

Which areas spend the most money from the city budget? Name the top 5 items of expenditure.

### **Workshop №3.**

Analyze the [Budget of urban initiatives](#) in Sumy:

1. Which category deals with the most active submission of projects?

2. Which category of projects received the most support from city residents?
3. Specify rejected projects.
4. Identify the most expensive and cheapest projects.
5. Representatives of which age group are the most active in preparing and submitting draft participation budget?

#### **Workshop №4.**

..... can apply to a village, settlement, city, a city district (in case of its creation) council with the initiative to create a body for self-organization of the population provided that at least ..... residents of the respective territory who have the right to vote participated (were presented) in them. Also, ..... is elected whose members will represent the interests of residents - participants of the meeting (conference) in the relevant local council.

A self-organizing body of the population is elected for a term of ..... unless otherwise is provided by the council resolution or the BSP regulation.

The financial basis of the body of self-organization of the population is: .....; .....; .....

#### **Workshop №5.**

Analyze the activities of the public council attached to the executive committee of the Sumy City Council and the public council under the Sumy Regional State Administration in the context of the thematic focus of events and consultations with the public authorities.

#### **Workshop №6.**

Prepare a report on holding a peaceful meeting.

#### **Workshop №7.**

Using the mapping method, set the schedules for the reception of deputies of Sumy City and Sumy Regional Councils.

## SELF-TEST QUESTIONS

1. To whom else, apart from public authorities, can you send a request for public information?
2. What is the difference between an electronic petition to the President of Ukraine and the mayor?
3. What are the sources of funding for public participation budgets?
4. Is it possible to hold peaceful assemblies close to the police station?
5. On which question can a city dweller address to a city council deputy?
6. Who can initiate public hearings?
7. What is public information?
8. What is the public interest?
9. Who can submit a request?
10. Is it possible to submit a request in person?
11. The answer was not received in time; what to do?
12. Where to complain if the right to information has been violated?
13. Is a public utility an information manager?



## TEST TASKS

1. **Citizens' appeal to state or city government bodies with a request for assistance in the implementation of their legal rights and interests:**
  - a) petition
  - b) complaint
  - c) proposal
2. **Which appeals are not subject to consideration**
  - a) appeals of persons declared by the court as legally incompetent; a written application without specifying an employment record book
  - b) a written request without indication of the place of residence, without designation of the area of birth

- c) a written application not signed by the author, without specifying the number of people in the family; appeals of persons recognized by the court as legally incompetent
- d) a written request without indication of the place of residence, not signed by the author, from which it is impossible to establish the authorship

**3. What are the requirements for appeal?**

Indication of:

- a) last name, first name, patronymic; place of residence; the essence of the issue raised; signature; date indication
- b) surname; name; signature
- c) surname; date of birth; place of work; date indication; name
- d) surname; name; patronymic; place of residence; the essence of the issue raised; signature; date indication; place of work; birth certificate

**4. Which of the following statements reflects the principle of transparency of government?**

- a) holding periodic elections under a multiparty political system
- b) mechanisms to protect the rights of all citizens, including minorities
- c) tools enabling citizens to receive information on decision-making and decision implementation by the authorities
- d) mechanisms for citizens to express their views

**5. In most democracies of the world, the system of "constitutionalism" is used. It means that:**

- a) the majority vote is always reflected in the laws
- b) the authorities are restricted by the limits and powers defined in the Constitution
- c) only public officials can amend the Constitution
- d) the government bodies will not abuse their powers

**6. Examples of transparency include all of the mentioned, except the following:**

- a) Requirement for political parties and candidates to disclose where campaign funds come from and how they are spent
- b) Government monitoring of the media to identify inappropriate coverage of government activities
- c) Informing the public about the process of selecting judges
- d) Inviting the public to attend plenary sessions in person or through virtual methods

- 7. The system of public administration in Ukraine has both horizontal and vertical divisions. This system provides all of the following, except**
- a) central authorities focus on issues that affect the entire country, such as national security issues
  - b) local government bodies are created to meet the needs of local communities
  - c) the system protects the Verkhovna Rada deputies from considering citizens' complaints; therefore, they can focus on their direct functions
  - d) to effectively resolve a particular issue, Ukraine citizens must understand what government level and which body is responsible for its resolution.
- 8. Which of the following definitions best describes the concept of "civil society"?**
- a) government organizations that encourage citizens to speak out on socially essential issues actively
  - b) associations which all workers are required to join
  - c) organizations that people can join voluntarily to pursue common interests
  - d) political associations that inform the public about candidates before the elections
- 9. If Ukrainian citizens believe that their rights have been violated, what measures can they take?**
- a) they can turn to the media to create a public response to the situation
  - b) they can seek the support of civil society organizations working in the field of human rights protection
  - c) they can sue
  - d) all of the above
- 10. For civil society development, there must be freedom of associations because**
- a) people should have the right to associate with other individuals having common goals after the government has provided its consent.
  - b) people have the freedom to organize with others to reach goals that are difficult to achieve independently
  - c) employers can learn a lot about the persons by researching who they associate with

d) all associations are free to use any means to achieve their goals if they work for the public good

**11. If the democratic system grounds on majority rule, what are the responsibilities of democratic power to minorities?**

- a) there must be mechanisms to protect the rights of minorities to express their views
- b) minorities need to be guaranteed proportional representation in government bodies
- c) the government is obliged to represent only the views of the majority
- d) it is necessary to compromise with minority factions in legislative activities

**12. Citizens of Ukraine may communicate with the authorities through public consultations, which:**

- a) are conducted at all levels of government in Ukraine
- b) are organized only by the institution responsible for the bill
- c) ensure that the public can influence law-making
- d) are held only with educated Ukrainians

**13. Local initiatives, referendums, public hearings, and voter assignments signify**

- a) methods of civic participation that enable citizens to take actions to influence the policy
- b) techniques that a citizen can use only once
- c) methods unavailable to citizens of Ukraine
- d) the Verkhovna Rada of Ukraine uses them to check public opinion on the law proposed for adoption

**14. The opportunity to review draft decisions of the authorities stands for:**

- a) powers granted only to special advisers of local councils or members of the Verkhovna Rada
- b) a medium owing to which citizens can submit suggestions or comments on the project
- c) by the Constitution of Ukraine, it is provided only to elected officials
- d) it is allowed once a month for citizens who have registered in advance

**15. Which of the following statements about requests for public information is not true?**

- a) Citizens can request information by calling or writing to the government body responsible for the information.
- b) The authority must respond to the request within no more than 20 days
- c) Requests can only be made when there is an emergency or imminent threat to the public
- d) Representatives of the people have the right to require the mayor to submit an annual public report at an open meeting

**16. Which of the following bodies is the local executive body?**

- a) Ministry of Regional Development, Construction, and Housing of Ukraine
- b) Regional state administration
- c) Regional Council
- d) Amalgamated territorial community

**17. Which government body approves the local community budget?**

- a) The Verkhovna Rada of Ukraine
- b) Local council
- c) The mayor
- d) Local community

**18. On what grounds can the local administration ban a rally?**

- a) If the participants' views are unpopular
- b) If the required permission did not enter on the eve of the rally
- c) If it threatens the rights of others
- d) If the rally contradicts a vital state policy





## USEFUL LINKS

### Electronic open data resources

Global Open Data Index rating



Open Data Barometer



Information and analytical service about public officials of Ukraine based on electronic declarations



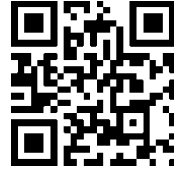
Interactive map of river pollution in Ukraine



Open data portal



Analytical tool for searching, researching, and visualizing court decisions



Interactive map of interregional and international bus routes



Open medical reform



Surface condition on roads



Transparency rating of Ukrainian cities



Map of transport networks of Ukrainian cities



Search and analytical system for public finance  
"007"



The "YouControl" system - an online  
company verification service

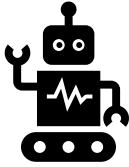


Smart city: all-Ukrainian platform of  
e-government and democracy



WHERE TO LOOK FOR OPEN DATA?





## CHATBOTS

A chatbot is a computer program developed on the basis of neural networks and machine learning technologies, simulates a conversation with a person



@OpenDataUABot - search service in government data of companies, people, cars, and real estate



@zheglovbot - search service through open and closed databases



@SaveEcoBot - air quality monitoring



@007bot - investigation of state enterprise transactions



@Автобот - consultations on administrative services of the service center of the Ministry of Internal Affairs



@RailwayBot - information on Ukrzaliznytsia services



@criminal\_code\_ukr\_bot – a pocket CCU in your phone



@UACodes\_bot – codes (lawbooks) of Ukraine

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Educational and methodological edition

Lebid Andrii Yevheniyovych  
Nazarov Mykola Serhiyovych

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