

The organizational and legal mechanisms of interaction between public administration bodies and businesses under martial law conditions

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Abstract: Business, authorities, and the public are interconnected, so effective mechanisms for their cooperation are necessary, especially in times of economic crisis. Under the conditions of martial law, when economic crisis is combined with security, loss of resources, property and disruption of logistics, the importance of mutually beneficial relations between business, government and the population increase. Our research is devoted to determining the mechanisms of interaction between business and authorities and evaluating their effectiveness. The factors of cooperation between economic entities were analyzed and, based on the analysis of the recovery program of the Kyiv region, the effectiveness of measures aimed at overcoming the crisis related to the war was determined. The positive impact of decentralization for the rapid recovery of the de-occupied region was determined, which was manifested in the priority provision of demining territories and construction of shelters, restoration of life support facilities and infrastructure in more than 70% of cases, planning the creation of economic clusters based on industrial parks with the formation of more than 17000 jobs. The effectiveness of the applied methods is confirmed by a high rate of relocation of enterprises to the region even shortly after the reoccupation. Our study found that despite the difficult conditions of administration, the strategy of business-government interaction includes the principles of sustainable development, which corresponds to the modern trends of conducting business in countries with developed economies.

Keywords: *Business entities, Business-to-government interaction, Decentralization, Local government, Mechanisms of interaction, Postwar recovery, Sustainable development.*

1. Introduction

The relationship between business and local government determines the business climate and the success of the economy. On the one hand, the state provides the enterprises with access to infrastructure and other tools that ensure decent business conditions, and on the other hand, the giver receives benefits through tax collection. There is no single form of effective interaction between government and business, as the market and society's demands are changing, technologies are developing, and approaches to the organization of business processes and administration are being improved. However, after the introduction of decentralization, the activity of interaction between local authorities and business increased, as a third of tax revenues remained in the regions after the reform. Thus, local

government is interested in providing favorable conditions for entrepreneurs in order to fill the regional budget. At the same time, the search for optimal mechanisms of interaction between business and authorities is relevant for both subjects, which are interdependent. Since they are different in terms of principles and ultimate goals, it is necessary to constantly seek compromises on the way to effective cooperation.

The war and the introduction of martial law fundamentally changed the rules of conducting business, changing approaches to the interaction between entrepreneurs and the state. The authorities were forced to introduce a system of preferential taxation in order to preserve entrepreneurial activity in conditions of danger and uncertainty in regions far from the battle line, to preserve that part of the business that survived and could fill the budget at least partially in conditions of increased budget expenditures for the maintenance of the army [1]. As for the front-line regions, the situation for the company has become critical here, as shelling has led to the destruction of property and equipment, the outflow of workers, loss of access to electricity, water and gas supply, destruction of logistics routes, etc. As a result, in the areas close to active battles businesses either stopped their activities or moved to more remote regions where the conditions for full functioning were preserved. At the same time, local government in the territories that are not under constant shelling, but are nevertheless not without threats, faced the problem of growing social costs due to the increase in the number of internally displaced persons, the outflow of investments and the working population, which stimulated the search for new approaches cooperation of local government and business to maintain effective communication through the creation of mutually beneficial compromises.

2. Literature Review

The problem of effective relationships between business and authorities worries many scientists because of its importance. Modern research deals with the concept of responsible business and the influence of politics on it. Politics influence business to encourage it to do good for society, not just focus on making a profit [2]. Moreover, the author emphasizes the importance of finding common factors that would benefit both business and society, such as education. At the same time, the influence of politics on achieving this goal should be careful so as not to lead to a loss of competitiveness of the country's enterprises. Chaidir and Haerofiatna [3] see the creation of business maps, which include the definition of main and supporting processes, processes related to compliance with standards and corporate strategy, in the effective interaction of government and enterprises. According to researchers, this approach is a factor of successful bureaucratic reform in regional apparatuses, which ensures professional management and administration [4].

Ghuri et al. [5] examine the dynamics and trends of economic relations over the past 30 years, including the interaction of large international companies with the governments of the countries in which they work. At the same time, researchers emphasize the constant changes in the interaction of government and business in modern conditions of the prevalence of populism, economic nationalism, sustainable development and the growing role of digitalization [6, 7]. Ghauri et al. [5] determine that the interaction of business and government should take place in the paradigm of achieving the goals of sustainable development introduced by the UN in 2015, as long-term economic growth has led to the depletion of resources and the growth of social injustice. Thus, the term sustainable development gained popularity and even trendiness in many fields [8, 9].

Many studies are devoted to sustainable development and the integration of sustainable development goals into the economies of countries, taking into account their national and cultural characteristics and resource capabilities. Thiele [8] describes the impact of sustainable development on production, entrepreneurship, politics, legislation, education, international agreements, use of natural resources, etc., and emphasizes the low level of implementation of the principles of sustainable development in practice. Farley and Smith [10] propose the concept of neo-sustainability, which consists in prioritizing the environment in the formation of social, ecological and economic relationships, for the growth of practical steps in achieving sustainable development. The practice of

implementing sustainability has been successful in economically developed countries and remains limited in developing economies. Instead, ignorance and limitations of sustainable development implementation lead to reputational and financial losses in business-to-business and business-to-government relationships [11].

The relationship between business and authorities is of decisive importance in times of crisis. Thus, the COVID-19 pandemic has shown the interdependence of business, government and local communities. The crisis also pointed to new requirements for business, namely the ability to quickly adapt to new working conditions and the importance of customer orientation. Businesses that thought allocentrically and progressively, taking into account the demands of society and looking for new opportunities under the conditions of the pandemic, were able to stay afloat [12, 13]. Thus, companies that chose to operate for the benefit of the community, despite the risk of financial losses, received bonuses in the form of reputation and ultimately maintained profitability [14]. Moreover, the business proved to be more efficient and flexible in the conditions of the lockdown than the government. Norway is an example of successful management of the pandemic crisis by the authorities, thanks to the high level of public trust in the authorities, the social and economic well-being of the country, which testifies to the importance of the relationship between the public, the authorities and business [15].

War is a crisis with great risks for public, business and government. Nevertheless, war causes the development of a tandem between business and government, because on one hand, the state carries out activities to support entrepreneurs in conditions of uncertainty, and business fills the gaps in the market that arise due to the conflict and becomes a strategic partner, participating in the supply chain of war and providing humanitarian support to the population [16]. In Ukraine, at the beginning of the full-scale invasion of Russia on February 24, 2022, the part of businesses that completely stopped or temporarily stopped their activities was 75.3% in March. However, after the stabilization of the military front line in May, the percentage of non-working businesses decreased to 49.0% [17]. This is explained by society's gradual understanding of the conditions in which entrepreneurial activity and ways of adapting to them will be carried out.

In the more than 2 years of war, scholars have examined the impact of the Russian-Ukrainian war on the global economy, inflation, and companies that cooperated with Russia or Ukraine before the full-scale invasion [18, 19, 20]. Among the domestic researchers, works with the definition of state support of enterprises, which is aimed at improving economic activity in war conditions, prevail [1, 21, 22]. However, during the two years of the war, the question of the effectiveness of the implemented mechanisms of business-to-government relationships in overcoming the challenges associated with the ongoing war has not been sufficiently studied.

The purpose of the study was to determine effective methods of interaction between business, local authorities and the public under martial law.

3. Materials and Methods

In order to achieve the goals, the relationship between business, government and the public was analyzed, the factors that shape high-quality and compromising cooperation between them and the problems that arose with the beginning of the war were determined. We determined the main principles of interaction between business and government on the example of the Kyivska region for the period 2022–2023 and assessed the effectiveness of the taken measures. The method of analysis, synthesis, grouping, visualization, quantitative assessment in percentage terms and generalization of results was used.

4. Results

Business, government and the public are inextricably linked and cannot function without each other. The state ensures the social well-being of the population, in return, the public participates in all processes of the state and shapes it. Business is the basis for financing the budget through the payment of taxes, it creates the economy and provides the population with goods, services and jobs (see Figure 1).

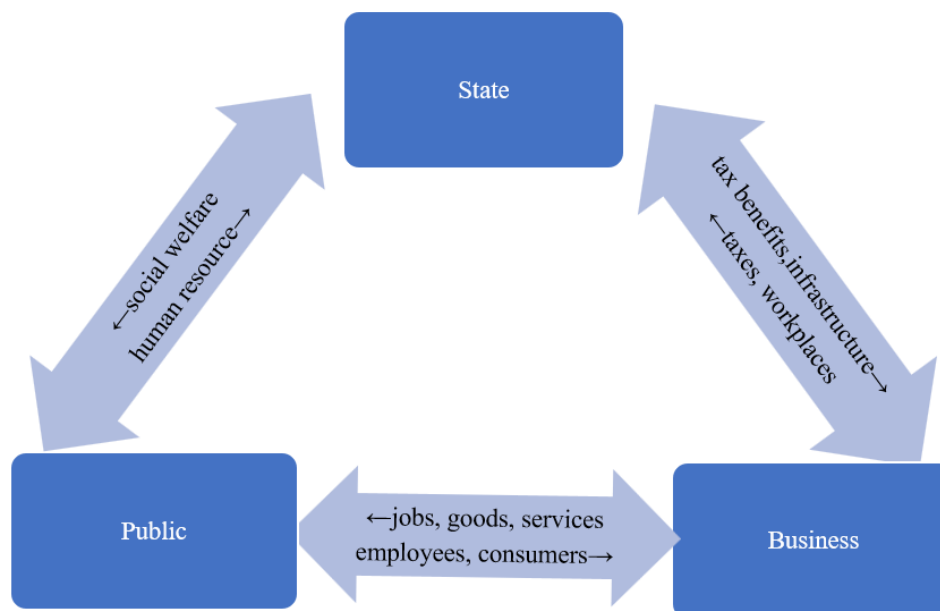


Figure 1.
The relationship between the state, the public and business.

In the conditions of martial law, all subjects are under the negative influence of war and face new demands. The burden on the state is increasing due to the need to finance the army, find mechanisms to end the war and overcome the humanitarian crisis. Enterprises and manufacturers lose consumers, employees, equipment, partners, logistic ways, which becomes the reason for unprofitability of business, or the impossibility of its functioning. The population loses safe living and working conditions, resorts to migration [23]. Therefore, effective and, if possible, mutually beneficial cooperation of subjects is necessary to resolve the situation, in which the government takes the biggest challenge, because it must ensure the social well-being of the population, security, defense, and conditions for business operation.

On the path of successful interaction between the government and business, tax benefits are being formed, which, under the condition of martial law, include:

- Exemption from paying a single social contribution for individuals of groups 1 and 2, and for employees undergoing military service in the Armed Forces of Ukraine, who work for group 3;
- Postponement in case of inability to pay taxes;
- Introduction of a moratorium on inspections for enterprises located in temporarily occupied territories and in the territories of active hostilities;
- Compensation for the employment of internally displaced persons,
- Mechanisms to promote business and production relocation;
- Low- and interest-free loans;
- financial assistance for exporters;
- A grant program for business recovery or creation [22].

In addition to tax and financial incentives, the authorities are helping to create conditions similar to the pre-war period, namely restoring infrastructure, promoting digitalization, providing advisory support, etc.

An important contribution is the delegation of cooperation with business by local government, as local authorities help in finding premises, potential partners and employees. In turn, the business is actively involved in volunteer activities, adapts to the needs of society, provides jobs for internally

displaced persons, and promotes the return of residents. Some enterprises, if possible, conduct hybrid activities, when part of the work is performed remotely.

The provision of a favorable business climate by local government and the government is analyzed on the example of the de-occupied Kyivska region. Among the most necessary and urgent measures, the provision of security under the conditions of the active phase of the war and non-selective missile attacks was singled out. Although it is impossible to provide 100% protection from shelling, the local authorities ensure the construction and restoration of shelters, are engaged in demining the territory, because during the period of 2022–2023, 8 people died as a result of contact with explosive objects in the territory of Kyivska region. The total area of the region that requires examination for the presence of explosive objects is approximately 750,000 hectares, 38,000 hectares (5.07%) of which were observed. First of all, roads, railway tracks, and power lines were inspected. The demining of agricultural land, which amounted to 14,000 hectares, is also a priority [24].

Provision of high-quality communal services is also a priority for local authorities. The dynamics of restoration of utilities infrastructure facilities is presented on Figure 2.

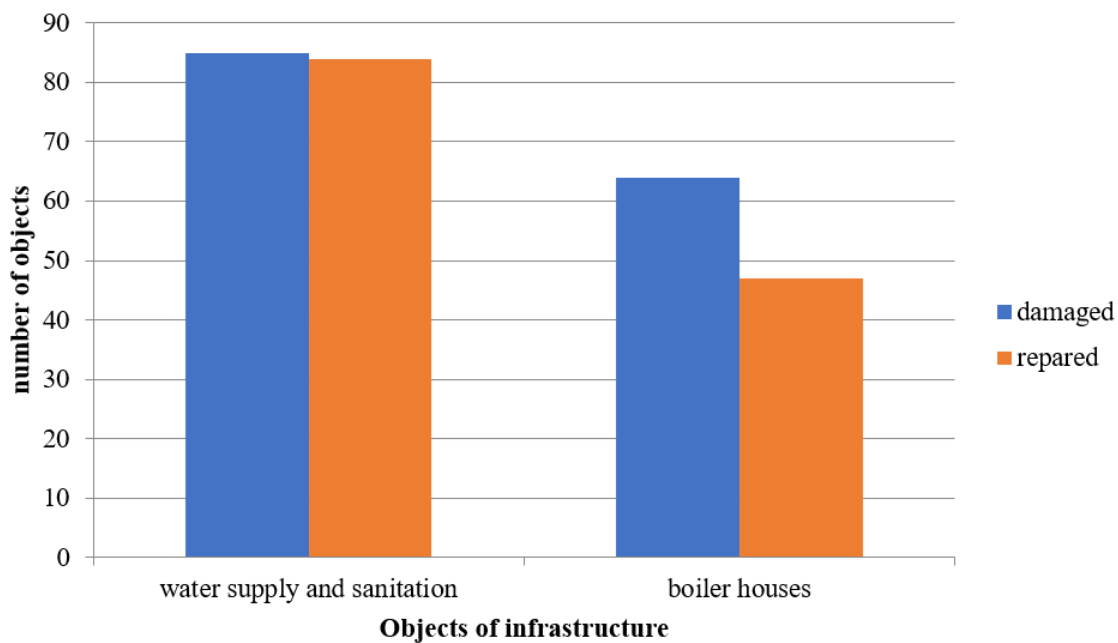


Figure 2.
Dynamics of renovation of utility infrastructure facilities in Kyivska region in 2023.
Source: Created by the author based on [24].

Nowadays, it is impossible to assess the extent of damage and restoration of the energy infrastructure, as the number of targeted missile attacks on energy facilities has increased and there is a ban on the dissemination of this information, which can be used by the enemy to launch additional missile attacks. However, based on the analysis of Figure 2, it can be seen that local authorities prioritize the repair of life support facilities, which is more than 70%. Also, to increase energy efficiency, state, grant and charitable programs for the insulation of residential buildings and energy modernization are being implemented.

Roads and bridges are being restored to improve logistics routes. Destroyed buildings and warehouses that cannot be rebuilt are dismantled. There is a problem of disposal of hazardous waste specific to martial law. On the other hand, local government promotes the restoration of educational, health care, social protection, and culture institutions. Post-war reconstruction requires significant resources, including financial resources, therefore, state and local budget funds, specially created funds,

charitable organizations, international aid and grants are used to finance the reconstruction measures listed above.

It is important to promote business, which at the level of local administrations includes the development of economic clusters, as one of the innovative mechanisms of the Program for Complex Restoration of Kyiv Region. Economic clusters are created as centers of business activity, to unite and reduce logistics chains between the manufacturer, supplier, institutions for the development of innovations and training. It is also expected to attract local workers, which will also affect the pendulum migration between the cities of the Kyiv region. Planning for the creation of economic clusters is presented in Table 1.

Table 1.
Economic clusters of the Kyiv region.

Cluster	Territorial community (TC)	Industrial base / cooperation company	Number of jobs
Production of electric welding equipment	Glevakhivska TC	Industrial Park "Paton"	2000
Bucha techno garden (IT)	Buchanska TC	–	3000
Aviation	Bilotserkivska TC	Bilotserkivskiy cargo aviation complex	300
Unmanned complexes	Vasylkivska TC	Turkish company "Baykar"	400
Production and logistics	Bilotserkivska TC	Industrial park "Bila Tserkva 1", "Bila Tserkva 2"	4000
Industrial and logistics "FastIV"	Fastivska TC	Industrial park "Fastindastr"	4000
Production of facing materials	Kalinivska TC	"Epicenter K"	650
Furniture	Kalinivska and Bilotserkivska TC	Furniture factories	230
Glass production	Berezanska TC	Industrial park "City of Glass"	500
Logistics cluster	Dmitrivska EC	American company Amstar	2000

Source: Created by the author based on [24].

As can be seen from the table, the economic clusters are located on industrial bases, which aims to preserve the available resources, developed connections in various communities of the region to avoid a shortage of personnel, to attract local residents and internally displaced persons who have found refuge in the Kyiv region to work. After all, since 2014, a large number of forced migrants from Donetsk and Luhansk regions have chosen Kyiv region as a place with affordable housing, developed infrastructure and a close distance to the capital, where they can find employment. The communities bordering the capital were chosen for residence not only by forced migrants, but also by young people from Kyiv and other regions who worked in the capital. This trend has caused a significant load on suburban highways, therefore the development of economic clusters is also planned with the aim of overcoming the traffic load of the outskirts of Kyiv, for example, the Bucha Techno Garden IT cluster, which does not have an industrial base in the Buchansk community, but is focused on employment of young people living in the community. Moreover, economic clusters will provide 17,080 jobs in the future.

The interaction of local government with business demonstrates high efficiency, so as on September 2023, 3 months after deoccupation, 76 enterprises moved to the Kyiv region. The effectiveness of such interaction is explained by the high awareness of the local government in the resources of the region,

determining the priority of recovery measures and accessible communication. Before the war, local businessmen were involved in the local government, who understand the requirements faced by entrepreneurs in times of crisis and help in solving these problems.

Despite the complexity of the conditions for conducting business and management activities under martial law, business, local government and the public in the recovery, where it is possible, adhere to the principles of sustainable development. This is explained by the desire for integration into the European Union, the growing environmental awareness of the population and the influence of international investors and charitable organizations that advise and help in achieving the goals of sustainable development.

5. Discussion

The importance of effective interaction between business, local authorities and the public is to jointly overcome the economic crisis and ensure mutually beneficial conditions for functioning. Nevertheless, martial law restricts the rights of citizens and businesses and has a negative impact on the country's economy, which is why martial law has not been introduced in Ukraine since 2014, although active hostilities have been taking place. In the conditions of war, the economic crisis is not limited to economic processes, because there are security risks, violations of logistics, partnerships, loss of property, workers, which even more requires cooperation between business, government and the public [25].

Our research indicated the positive impact of decentralization on the interaction of business and local government under martial law conditions, which led to quick and effective solutions on the area and contributed to the relocation of enterprises to the region even 3 months after de-occupation. Instead, foreign authors determined the positive impact of decentralization on the economy even in the absence of a crisis [26]. Dick-Sagoie [27] described a positive impact on the quality-of-service delivery after implementing decentralization, which was also confirmed in our study.

Analysis of the region's development program indicated that the goals of sustainable development, which were set in legal documents before the war, were embedded in the post-war reconstruction of the region, which confirms the progressiveness of management, business and compliance with European standards [28]. Moreover, modern international relations are also considered from the point of view of sustainable development, which takes into account ecological production and consumption, using renewable technologies and the reuse and recycling of materials [29, 30].

6. Conclusions

Based on the analysis of the principles of interaction between business, government and the public, problematic points in the formation of their effective cooperation and possible ways of reaching compromises that would work for the benefit of all subjects in the conditions of martial law were determined. It was determined that the biggest burden is faced by the authorities including local governments, which have demonstrated their effectiveness in quickly and primarily providing demining of logistics routes and building shelters, restoring infrastructure facilities by more than 70%, planning the creation of economic clusters within the region and observing the principles of sustainable development whenever it is possible.

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