

FORMATION OF COMPETENCE OF THE LOCAL AUTHORITY SELF-GOVERNMENT AS THE MAIN PHENOMENOLOGY OF DECENTRALIZATION OF POWERS OF PUBLIC AUTHORITY IN UKRAINE

Maxim M. Baymuratov, graduate student of Mariupol State University, Deputy Head of the Legal Department of the Main Department tax service of Ukraine in Odessa region (Ukraine)
E-mail: baymuratovmax17@gmail.com
DOI: 10.32342/2709-6408-2021-2-3-2

Key words: *municipal reform, decentralization, local self-government, public authority, local democracy, competence of self-government bodies.*

The article is devoted to the study of the formation of competence of the local authority self-government as the main phenomenology of decentralization of powers of public authority in Ukraine. The author notes that the world experience and the experience of independent development of Ukraine suggest that the most productive mechanism for uniting society around the fundamental values of civil society is the development of local self-government. The article is devoted to large-scale reform of local self-government, which is aimed at overcoming the centralized Soviet system and the formation of a decentralized system of local government, as well as increasing the powers of self-governing bodies to develop the territories. Some particularly problematic issues have been studied, which significantly hinder the solution of current problems in the field of “competence content” of public authorities. These include the lack of general theoretical definition of competence, lack of scientific understanding of the system of properties of competence, as well as recognition of the existence and formation of their own competence in local governments as self-governing (municipal) public authorities.

The author points out that the success of the reform of decentralization of public power in the framework of municipal reform leads to the transformation of the competencies of local governments, especially in the context of forming a block of powers of their own competence and executive bodies. The author of the article offers an ontological and axiological analysis of the sphere of competence of local self-government bodies in its modern sense. It is emphasized that the “alpha and omega” of the competence of local governments should be strategic procedural guidelines that reflect the dependence of the competences of local public authorities on the interests and will of residents of local communities. It is revealed that the system of individual, group and collective interests of a person determines the objectification of the need to form their own competence for local governments. It is a doctrinal conclusion that the process of reforming public authorities is directly related to the process of forming the competence of local governments, which in conditions of decentralization and deconcentration, form their own competence base of powers and subjects. The topical issues of forming the own competence of the local self-government body are given and analysed. The author of the article argues that this process is the main phenomenology of decentralization of public authority in Ukraine. The author’s opinion is substantiated that decentralization is one of the most successful reforms of recent times, but at the same time, some problems of both organizational and applied nature remain unresolved, which negatively affects the prospects of decentralization in Ukraine.

References

1. The Constitution of Ukraine (1996). Available at: <https://zakon.rada.gov.ua/laws/show/254%D0%BA/96-%D0%B2%D1%80#Text> (Accessed 12 November 2021).
2. Andriiv, M. (2018). *Detsentralizatsiia publichnoi vlady: vzaïmozv'iazok kompetentsii ta kompetentnosti* [Decentralization of public power: the relationship between competencies and competencies]. *Efektynnist derzhavnoho upravlinnia* [Efficiency of public administration], issue 1 (54), no. 1, pp. 185-191.
3. Baymuratov, M.M. (2014). *Detsentralizatsiia povnovazhen publichnoi vlady v Polshchi yak zasib formuvannia kompetentsii mistsevoho samovriaduvannia: dosvid dlia Ukrainy* [Decentralization of public authority in Poland as a means of forming the competence of local self-government: experience for Ukraine]. *Visnyk Mariupolskoho derzhavnoho universytetu (Seriiia “Pravo”)* [Bulletin of Mariupol State University (“Law” Series)], no. 7, pp. 138-147.
4. Baymuratov, M.O. (2015). *Detsentralizatsiia ta kompetentsiia mistsevoho samovriaduvannia v Ukraini* [Decentralization and competence of local self-government in Ukraine]. *Viche* [Viche], no. 12, pp. 14-17. Available at: http://www.irbis-nbuv.gov.ua/cgi-bin/irbis_nbuv/cgiirbis_64.exe?I21DBN=LIN&P21DBN=UJRN&Z21ID=&S21REF=10&S21CNR=20&S21STN=1&S21FMT=ASP_meta&C21COM=S&S21P03=FILA=&S21STR=viche_2015_12_6 (Accessed 12 November 2021).

5. Boryslavska, O.M., Zaverukha, I.B., Shkolyk, A.M., Moskalenko, O.M. (2012). *Detsentralizatsiia publichnoi vlady: dosvid yevropeiskykh krain ta perspektyvy Ukrainy* [Decentralization of public power: the experience of European countries and prospects of Ukraine]. Kyiv, Center for Political Rights. Reforms, 212 p.

6. Baymuratov, M.M. (2012). *Sfera kompetentsii mistsevoho samovriaduvannia ta formy yii realizatsii za zakonodavstvom Ukrainy* [Scope of competence of local self-government and forms of its implementation under the legislation of Ukraine]. *Naukovyi visnyk Akademii munitsypalnoho upravlinnia. Serii: Pravo* [Scientific Bulletin of the Academy of Municipal Administration. Series: Right], issue 1, pp. 9-24. URL: <http://nbuv.gov.ua/UJRN/Nvamupr201215> (Accessed 12 November 2021).

Одержано 19.11.2021.