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Anastasiia NEKRIACH

Doctor of Political Sciences, Professor,
Professor of the Department of Political Science, History and Philosophy,
Poltava State Agrarian University (Poltava, Ukraine)

anastasiia.nekriach@pdau.edu.ua

<https://orcid.org/0000-0001-5058-4145>

Tamara SHARAVARA

Doctor of Historical Sciences, Professor,
Head of the Department of Political Science, History and Philosophy,
Poltava State Agrarian University (Poltava, Ukraine)

tamara.sharavara@pdau.edu.ua

<https://orcid.org/0000-0002-6370-6663>

HISTORICAL ASPECTS OF IMPLEMENTING THE EXPERIENCE OF LOCAL SELF-GOVERNMENT ORGANISATION IN EASTERN EUROPEAN COUNTRIES (EU) IN UKRAINIAN PRACTICE

The article aims to reveal the historical progress in the formation of political and legal instruments for implementing municipal reforms in certain EU countries, as the turning to their experience of organising regional and local governance and forming and improving the constitutional foundations is of great importance for national practice not only in the context of complex modern historical events but also because of the spread of European experience of citizen participation in local affairs management in the territorial communities of Ukraine.

The methodology is based on the theoretical achievements of hermeneutics, as well as historical-comparative and historical-systemic research methods. **The scientific novelty** lies in disclosing the historical path of forming local self-government reforms in Poland, the Czech Republic, Slovakia, Bulgaria, Hungary, and Romania. In particular, the article analyses the political and legal factors of strengthening local authorities, the interaction of state and self-government structures, and forms of involving residents in the management of local affairs in territorial communities of Ukraine (in the example of Poltava region). It formulates the proposals for disseminating European approaches to the organisation of regional

and local government, which are of practical importance for our country and are historically significant for its future.

Conclusions. Even though Ukraine is going through the most challenging time in its modern history, the reform of local self-government and decentralisation based on the principles of subsidiarity can be considered a success. Communities have gained greater autonomy, authority, financial and material support. Absolute copying of foreign experience in organizing local self-government is inappropriate, as it should meet the needs of domestic realities. European experts have positively assessed the implemented reform of decentralization. We would like to draw attention to several significant issues that have not yet been resolved. Firstly, it is necessary to introduce the institution of a local ombudsman, which is effective in European countries. Secondly, local starostas should be elected, not appointed, as is the case today. Thirdly, there is still a lack of more significant publicity, openness, and involvement of citizens directly in the self-governing process, so the quantitative enlargement of communities, districts, and starosta districts does not reduce the quality of people's lives. Fourthly, the history of self-government in Europe shows that executive authorities seek to control self-governing institutions. However, in light of the weakness of self-government in Ukraine, such control is already harmful to the reform. At the same time, this control is intensifying in the context of a full-scale Russian war. The reasons for this are the urgent need to consolidate society and make quick decisions at the local level, which means that local governments must sacrifice their own interests in favour of larger, regional, national, etc.

Keywords: *Ukraine, Poland, Czech Republic, Slovakia, Hungary, Bulgaria, Romania, reform, decentralisation, deconcentration, devolution, subsidiarity, local authorities, European experience, national practice, territorial communities.*

The separation of power between the centre and regions in the EU countries has historically been one of the fundamental principles of democratic state structure, formation of innovative tools, minimisation of conflicts and contradictions hindering development at all levels of governance. The functioning of the institute of local self-government in Ukraine in the context of large-scale aggression by the Russian

Federation, reforming local authorities on the principles of subsidiarity, changing the “rules of the game” between the centre and the regions is characterised by the search for new rational mechanisms for the organisation of local self-government.

The history of the experience gained over the years of decentralisation in Ukraine (2015-2023) demonstrates several problems that need to be appropriately addressed, considering the European choice and the challenges of today.

Domestic and foreign scientists are constantly studying the fundamental principles of local government in different countries and the tools for sharing positive practices in the domestic context. In particular, these issues have been studied by domestic and foreign scientists: O. Batanov [1], T. Würtenberger [2], H. Grabbe [3], L. Donos [4], K. Ischeykin [5], I. Kresina [6], I. Lopushynskyi [7], A. Matvienko [8], A. Nelytskyi [9], V. Saluta [10], I. Temeshi [11] and others. The interaction between central and local governments has historically increased on a global scale, which confirms the dominance of the theory of municipal dualism in the practice of many countries. The radical changes that have occurred in the EU countries since the 1990s have shown the irreversibility of democratic transformations in all spheres of life in these countries. This thesis is confirmed by the historical circumstances of the formation of the constitutions of the countries, which devote separate chapters to local self-government issues; their status in the political system and civil society, functional purpose, powers, principles of organisation and guarantees of activity are fixed.

.The problem of finding capable local self-government, a special form of its implementation, which involves other principles of organization and interaction of local authorities, is still insufficiently studied.

The following are additional factors that have determined the need for the decentralisation reform in Ukraine. In particular, the first group of factors includes internal problems, which were reduced to the inability of the current system of governance to meet the public needs of people at the appropriate level, and the second group includes external ones. Cooperation with international partners in order to find constructive political mechanisms of defence under the conditions of

Russian aggression, which has been going on since 2014, the real success of Ukrainian diplomacy in the European direction, which allowed the country to start the procedure of accession to the EU, has changed not only the nature of foreign policy, but also showed the need for changes at all levels of governance in line with European approaches. The third group of factors includes the inefficiency of the political system. The fourth group of factors consists of the long-standing polarisation of interests of the centre and the regions. Therefore, the separation of powers implied not only eliminating contradictions between the centre and the regions, but also forming a territorial model that would be able to function in the present-day environment and implement new tasks. Finally, the fifth group of factors relates to the economic component, as the economy is focused on ensuring the state's defence capability and activation of civil society institutions and requires coordinated actions of territorial communities and state structures. The importance of accelerating the reform of the territorial structure, which actually began with the adoption of the Concept of Local Self-Government Reform in Ukraine on 1 January 2014 and became the most historically significant event in all the years of independence, is becoming evident.

The model of unitary government enshrined in the Constitution of Ukraine is not fully complete, and the Laws of Ukraine “On Local Self-Government in Ukraine” and “On Local State Administrations” have not resolved the issue of the division of power between the centre and the regions. Several critical issues related to protecting state sovereignty, the level of autonomy of regions and local self-government, and the boundaries, forms, procedures, and implementation of power are still unresolved. The following issues related to the status of territorial communities are not still regulated by law. In particular, according to O. Batanov they are a) recognition of the nature of territorial communities (it is advisable to show their social purpose); b) characterise the main types of territorial communities; c) disclose the main functions of territorial communities; d) characterise the legal powers, responsibilities and guarantees of the activities of territorial communities [1. p. 100]. This situation has historically arisen due to the lack of understanding

between the centre and the regions regarding the main issues: “between which parties should power be distributed?”, “how should the objects of power be distributed?” and “how should the scope of power distribution and the procedure for distribution be determined?” These questions have not been answered for a long time, and we see a lack of clear understanding of who will act as power holders at different levels. The algorithm for the distribution of powers, the definitions of “decentralisation” and “deconcentration” and the derivative concepts of “competence” and “authority”, also needed to be clarified. Only some of these issues were solved during the decentralisation reform, which was carried out by European standards based on the principle of subsidiarity. Therefore, optimisation of the territorial organisation of our country essentially involved transforming incapable governing bodies to perform new complex tasks by consolidating communities and providing them with greater powers and financial resources. At the initial stage of the reform, the amalgamation of communities was voluntary, according to the Law of Ukraine “On Voluntary Amalgamation of Territorial Communities”, and at the final stage, the consolidation was carried out following the plan developed by the Verkhovna Rada of Ukraine and the Cabinet of Ministers of Ukraine [12]; [13]; [14].

The historical experience of reforming the organisation of local self-government in EU countries is informative and relevant to domestic practice. The most active phase of these reforms in Europe took place in the late 1980s and early 1990s and was carried out in two main areas: decentralisation (deconcentration) and Europeanisation (an approximation to EU standards). The decentralisation process can be divided into two stages, as it continued to develop both in European countries and the world. The first stage began in the late 1980s and lasted until the mid-1990s, when countries signed association agreements with the possibility of further full membership in the EU. The second was completed by the early 2000s when the territorial structure of Eastern European countries had to be brought into line with EU requirements.

Thus, Heather Grubbe has identified several historical stages of Europeanisation. The first was the signing of joint declarations between the Eastern

European countries, on the one hand, and the European community, on the other. At the next stage (1994-1997/98), countries adapted EU norms and requirements to national standards. The third stage was the process of correcting the errors published in the conclusions of the European Commission. The next post-integration stage included further adaptation of Eastern European countries to the EU, which, in the long run, became a powerful incentive for them [3]. Therefore, life itself prompted the governments and societies of these countries to make radical changes on a rational and democratic basis, to carry out constitutional reforms, the reorganisation of local self-government being an essential part of them. In our opinion, the initiated transformations have shown the beginning of the revival of the local self-government institution, which is characterised by the following features: its own competence, independence of action and responsibility; its own material and financial base, based on communal property and the communal budget; the presence of a representative body with an executive committee; and the absence of vertical subordination. Extrapolating to the long history of these countries, we should emphasise that the institution of local self-government should have been mentioned in the constitutions of most of them. If it was mentioned at all, it was within the framework of democratic centralism, negating the idea of self-government. Fundamental changes related to the recognition and legalisation of the institution of local self-government occurred only due to the victory of democratic revolutions and constitutional reforms in the late 1980s and early 1990s.

It is worth noting that the transition to a new concept of local self-government in the EU countries took place without much antagonism, heated discussions and contradictions between political forces and public institutions, as the new organisation of local self-government met the critical objectives of states at this historical stage of state-building. It has become apparent to everyone that the close relationship between local authorities and the population contributes to the legitimacy of the instrumentality of state power. This has found its confirmation in the constitutions of the states. For example, Article 8 of the Constitution of Bulgaria [15], the Constitution of the Czech Republic [16], and the Constitution of Hungary

(section on the establishment) stipulate that the principle of separation of powers provides for the regulation of the status of each state body with a clear delineation of competence [17].

In practice, different approaches to the division of power are used. In particular, the horizontal principle is used to distribute competence between various types of state authorities of the same level. The vertical division takes place between spheres of activity and powers, between similar bodies of the same type, which carry out their activities at different levels of territorial organization of the state. The following main features characterise the division: a) the existence of its own competence established by law, freedom and responsibility within the framework of solving local issues; b) the existence of its own material base, including communal property and municipal budget; c) the functioning of a representative body elected by the population and its executive apparatus; d) the absence of direct subordination (meaning vertical) of lower representative bodies to higher ones. Several factors have historically influenced European reforms, characterised by diversity and multi-vector nature. Let us outline them. *The first factor* is that the formation of municipal systems in these countries was carried out against the background of global trends in this area. The priority ones include strengthening the influence of territorial bodies, combining types of municipal systems (Anglo-Saxon and French), consolidation of municipal units and strengthening their apparatus, and regionalisation; *the second factor*, these countries have historically had the desire to reform local government as soon as possible; *the third factor*, the establishment of the local self-government institution took place against the background of a radical transformation of the entire social order, the crisis of economic and political systems, the lack of traditions and skills of democratic governance; *the fourth factor*, the reform process was influenced by the national, historical, state and legal traditions of these Eastern European states.

Analysing the historical process of organising relations between different levels of government in the EU countries, it should be noted that these issues have been enshrined and regulated in constitutions and special laws. In particular, Article

2 of the Bulgarian Constitution states that “the Republic of Bulgaria is a unitary state with local self-government” [15]. According to (Article 16) of the Constitution of the Republic of Poland, territorial self-government is the main form of organisation of public power at the local level because “territorial self-government participates in the implementation of public power. Self-government carries out on its behalf and under its own responsibility a significant part of the public tasks assigned to it by law” [18]. However, the Constitution of Romania does not use the term “local self-government”, instead, there is the concept of “local public administration”, which is correlated with the idea of “local self-government” [19].

First of all, local self-government in most modern democratic countries is identified with local public administration. There are good reasons for this. The first is decentralisation, which is connected with local self-government opposes centralisation and forms a mechanism of coordination of local interests with the state interests. Second, the possibility of creating local budgets at the expense of local fees and taxes is quite limited; more is needed to meet the needs of the local population in total, and the state covers a specific part. This opens a legal field for the center to exercise control over the financial expenditures of local authorities. Third, local authorities need to be expanded in the independence of activities of those industries and spheres of national importance. Fourth, there is a need for administrative control over the legality of local government acts.

There is an ongoing discussion among scientists about the extent to which local self-government and its bodies are an integral part of the state mechanism and whether they have a historically state-legal nature. Positions and opinions on this are sometimes opposite. Here are some of them. The institute of local self-government has both non-state and state character. As for the non-state approach, the arguments are as follows: there is no transparent vertical chain of command, they act on behalf of the territorial community, not the state, the material and financial base of local self-government consists of municipal property and municipal budget, and they are not state bodies. As for the non-state status of local self-government, this aspect needs to be enshrined in the constitutions of foreign countries. However, there is

another position that contradicts those mentioned above. Local self-government should not be removed entirely from the system of state power since vertical subordination is typical for the relations of only one type of state authority – those belonging to the executive branch of power. As for representative bodies, they are quite autonomous, although local self-government bodies cannot be excluded entirely from the system of the state mechanism and, therefore, have a state-legal nature. As a rule, they function within the territorial unit of a particular state, solve issues and problems of local and national importance, and have an appropriate set of powers of state authority. Local self-governments are recognised as part of the central government's state mechanism – partners (or agents). Sometimes they are referred to as administrative bodies. In particular, the Constitution of Romania of 2003, in section 2, specifies such a concept as “Local Public Administration” [19]. Article 163 of the Constitution of the Republic of Poland states that “territorial self-government fulfills public tasks that are not referred by the Constitution or laws to the competence of bodies of other public authorities”, and Article 164 defined that “the basic unit of territorial self-government is the community (gmina)” [18].

Next, the political and legal regulation of the institution of local self-government in some EU countries should be considered. Thus, the Constitution of the Czech Republic in Article 99 states that “The Republic is divided into communities, which are the basic units of territorial self-government, and into the lands and regions, which are the highest units of territorial self-government” [16]. In its Article 64, the Constitution of Slovakia states that “The basis of territorial self-government is the settlement. Territorial self-government is established by a settlement and a higher territorial unit” [20].

Article 64a emphasises that “a municipality and a higher territorial unit are independent territorial self-governing and administrative units of the Slovak Republic, uniting people with permanent residence on their territory” [20]. In general, the constitutions of the Eastern European countries contain provisions relating to local self-government: the role and purpose of local self-government in the political system; principles of functioning and organisation on the ground; the

basis of administrative and territorial division; organisational forms of local self-government and management, competence and internal structure of interaction; mechanisms of administrative supervision; guarantees of local self-government, including judicial, material, financial and legislative guarantees.

Thus, the institution of local self-government in Europe has historically been seen as an integral part of the political system, an essential principle of its functioning and a critical link in the system of democracy. Historically, the organisation and activity of local self-government and its bodies have been based on some principles, the most important of which are enshrined in constitutions. These include democracy, people's power, recognition, observance, protection of human and civil rights and freedoms, sovereignty and integrity of the state territory, national equality and the right to national identity, separation of powers, and legality .

In addition, the constitutions of the EU countries enshrine several specific principles for the functioning of local self-government and its bodies. For example, the Constitution of Romania in Article 119 states that “public administration in administrative-territorial units is based on the principles of decentralisation and local autonomy” [19]. Article 171 of the Constitution of the Republic of Poland enshrines the key principle of legality and supervision over the activities of self-government bodies [18]. The issue of supervision points to a clear, historically embedded problem related to the perception of the limits of self-government and the desire of the central government to control it.

The system of local self-government and governance is based on the system of administrative-territorial division of countries. For example, the Constitution of Romania in Article 121 regulates the principles of public administration bodies, through which local autonomy is implemented in counties and cities and in administrative-territorial units of municipalities [19]. The reform of territorial division took place in the Czech Republic and Slovakia. In Bulgaria, Articles 135 and 136 stipulate that the territory is divided into communities and regions. The community is the basic administrative-territorial unit where local self-government is exercised [15]. In most EU countries, the administrative-territorial division is two-

level. In particular, the highest level is in regions in Bulgaria, with voivodeships in Poland, and the lowest level is in communities in Bulgaria, communes in Romania, gminas in Poland, and villages in Hungary. Cities are classified into one of the levels depending on their size and importance. Capitals have a special status. As for the municipal systems themselves, they are also quite diverse. Firstly, in different countries, self-government is carried out at varying levels of administrative and territorial division. Secondly, the status of central government agents at the local level and the depth of the government vertical vary. Thus, in Hungary and Romania all local territorial collectives are self-governing – from the highest to the lowest [17], [19]. The same approach is defined in the Czech Republic, where the units of territorial self-government are territorial communities (associations of citizens) (Article 100) of the Constitution [16]. In Poland (Article 164 of the Constitution), self-government is carried out at the level of gminas (communes), counties and voivodeships. The latter is an administrative-territorial unit – a regional self-governing community that determines the development strategy of the voivodeship, stimulates its economic development, increases the level of competition and innovation, promotes the preservation of cultural and environmental values, taking into account the needs of future generations, and the formation and preservation of territorial integrity [18].

It is worth paying attention to the organisational forms of local self-government, which are the institutions of representative and direct democracy. Thus, the Basic Law of Bulgaria (Article 136) establishes a norm stating that “the community is the basic administrative-territorial unit, a legal entity in which local self-government is exercised.” Citizens are involved in the management of the community through the local self-government bodies they elect and directly through referendums and general meetings of the population. The Constitution also defines the community as the basic administrative-territorial unit where local self-government is exercised, and the population elects the commune council for four years following the procedure established by law (Article 138) [15]. Article 169 of the Constitution of Poland states that “units of territorial self-government perform

their tasks through constituent (organy stanowiace) and executive bodies” [18]. By Articles 121, 122 of the Constitution of Romania, the public administration authorities through which local autonomy is exercised in communities and cities are elected local councils and mayors under the elected law [19]. The analysis shows that in Eastern European countries, representative bodies of local self-government are formed by direct election by the population from the respective territory. Thus, Chapter IX of the Hungarian Constitution states, “Its representative body exercises the functions and powers of local self-government. Representatives of local self-government and mayors shall be elected by universal and equal suffrage by direct secret ballot in elections that guarantee the free expression of the will of the electorate, in accordance with the procedure established by the fundamental law” [17]. As to the regulation of the competence of local self-government bodies, the Constitution of Romania (Article 121) states that district (county) councils exist to coordinate the work of communes and city councils [19]. The Constitution of the Republic of Bulgaria grants the right to self-governing territorial communities to unite in order to solve common problems (Article 137) and to an independent budget. However, to ensure the proper functioning of the communities, they are guaranteed state support from the budget and other sources (Article 141) [15]. An essential feature of local self-government in the EU is that it is coordinated directly with representatives of the central government on the ground. The format of such coordination varies. The main difference is that government officials work at different levels of the administrative and territorial structure. Thus, in Bulgaria, Poland, and Romania, they function only at the level of the highest levels of local territorial division - in regions, voivodeships, and districts, respectively. At the lower level, only self-government bodies. It should be noted that in Bulgaria, self-government is limited to this level only, while in Romania, it is available at both administrative and territorial division levels. Representatives of the central government at the local level are also called differently. For example, in Poland it is a voivode [18], in Bulgaria – a regional governor (Article 143) [15], in Romania – prefects [19]. The constitutions consider officials who carry out public

administration at the local level as representatives of the government. Accordingly, they are appointed and dismissed by the government. In particular, in Poland, the voivode is appointed and dismissed by the Chairman of the Council of Ministers upon the proposal of the Minister of Administration [21]. According to the Constitution of Bulgaria, the Council of Ministers appoints the regional governor (Article 143) [15]. In Romania, the government appoints a prefect in each county and the municipality of Bucharest (Article 123 of the Constitution) [19]. The Government of the Republic of Hungary ensures the supervision of the legality of local self-government through capital or county government institutions [17]. The constitutions also contain a provision that establishes the term of office of representatives of the central government at the local level. It varies from country to country, but it is four years in most countries.

So, the organisation of local government in Eastern Europe has historically been quite different in terms of its characteristics. However, in practice, certain standard features can be traced, which historically manifest in the dominance of the French municipal systems. Moreover, the segment of such centralisation is quite significant. We believe the model chosen by Poland, Romania and Hungary can be considered the most democratic. The following approaches characterise the interaction between the centre and local self-government. *Firstly*, supreme representative bodies provide legislative regulation of local self-government. *Second*, state constitutions envisage the possibility of delegating state powers to local self-government bodies. To fulfill them, they are provided with appropriate financial resources. *Thirdly*, the financial base of local self-government consists of its own revenues and central government revenues (grants, subsidies, subventions). An indication of this can be found in the constitutions of states, for example, Article 65 of the Constitution of the Slovak Republic [20], Article 141 of the Constitution of Bulgaria [15], and Article 167 of the Constitution of Poland [18]. *Fourthly*, an essential aspect of the relationship between the center and the territorial authorities is the administrative supervision of local self-government. This can be seen in the examples of Bulgaria and Poland. Thus, Article 144 of the Bulgarian Constitution

provides that ‘central state bodies and their local representatives control the legality of acts of local self-government bodies only in cases where it is provided for by law’ [15]. In Article 171, the Constitution of Poland states that “the bodies supervising the activities of territorial self-government units are the Chairman of the Council of Ministers and voivodes, and in financial issues - regional accounting chambers”. The Sejm may dissolve a representative body of territorial self-government if it grossly violates the Constitution or laws of the country’ [18]. In the constitutions, we also find the names of the subjects exercising this supervision. Thus, in Bulgaria it is the regional governor, in Romania - prefects, in Hungary - the Minister of Internal Affairs, who acts through republican commissioners. As for the objects of administrative supervision, these are legally significant acts of local self-government, and their subject matter is their legality. The main form of influence of the center’s representatives on local self-government bodies is their right to appeal in court against the latter's acts if they do not comply with the law. This norm is enshrined in Article 122 of the Constitution of Romania and gives such rights to the prefect [19]. The prefect can appeal to the administrative court against an act of the county council, local council or mayor, if he considers this act illegal. If an act is declared illegal, it loses its legal force.

The EU countries’ constitutions also provide for several guarantees for local self-government. The most significant relates to the legislative, organisational, material, financial, and judicial spheres. Legislative regulation prevents the arbitrariness of officials and bureaucracy and restricts the capabilities of local self-government. There are constitutional provisions that require mandatory consideration of the opinion and position of the local population when establishing or changing the boundaries and level of administrative and territorial units. For example, in Bulgaria, it is stated that “the boundaries of municipalities are determined after a public opinion poll” (Article 136) [15]. The existence of its own competence, its own apparatus and local administration, the proclamation of the principle of non-interference of the central government in the resolution of issues within the jurisdiction of local self-government, granting territorial collectives the

status of a legal entity – all these constitutional and legal guarantees are essential mechanisms of legal support for the realisation of the rights of local self-government in this country. As for economic guarantees, they are based on their own material and financial base. The constitutions of the EU countries recognise the existence of the institution of communal property as a type of public property that should be used in the interests of all community residents (Articles 140; 141) of the Constitution of Bulgaria [15] and (Article 138) of the Constitution of Romania [19]. Finally, the central place in the legal guarantees system for local self-government is judicial guarantees. Constitutions and special laws provide the right to judicial protection [15].

Thus, the historical trends characterising the current stage of development of municipal systems in some EU countries allow us to identify the following features: revival of the concept of self-government, which means the ability of communities to solve local issues independently, within the legal framework and without central interference; in practice, various variants of local self-government with elements of the French model and the presence of centrist approaches have been formed; the institution of administrative supervision has been preserved, judicial guarantees for the protection of local self-government can be traced; countries strive to ensure that the institution of local self-government is in line with the principles of the World Declaration of Local Self-Government and the European Charter of Local Self-Government. Despite these countries' rather long and eventful history, the Centre, together with local institutions, has managed to solve many local problems by reaching compromises and consensus.

Having ratified the European Charter of Local Self-Government, Ukraine strives to bring its local government model in line with European standards by spreading its most successful practices in the country. Several examples from the activities of territorial communities in the Poltava region can confirm this. For example, the Velykobudyshchanska territorial community [22] actively uses various forms of involving community residents in joint decision-making, including public hearings. Many hearings were devoted to renaming streets, terminating legal

addresses (preschool education institutions), and re-profiling (changing the type) general secondary education institutions. The decisions made were published on the official website of the community.

An effective tool for cooperation between local deputies and residents is the participation of the residents in the work of deputy commissions and council sessions. This facilitates an open dialogue with all stakeholders, allows them to study the current problems of the community and starosta districts in detail, and consider opinions, positions, and arguments in favour of a decision to be made at the session. Significant attention is given to information support of community activities and publication of events on community websites, which cover the work of officials and the executive committee, meetings of village council sessions, standing committees, deputy groups, and work in starosta districts [22].

Many other territorial communities in the Poltava region use similar forms of participation. In particular, the Bilotserkivska rural territorial community [23], where self-organisation bodies and public associations are active: “Bilotserkivske Vidrodzhenia”, “FK Rokyta”, “Bilotserkivske Veteran Organisation”, Velyka Bahachka District Separate Subdivision of the “Braterstvo uchasnykiv ATO Poltavshchyny” and Poltava Regional Separate Subdivision “We Are Ukrainians”. Each organisations actively involves residents in solving common problems, making management decisions, and representatives of business and government in processes aimed at the socio-economic development of the territories, participation in donor projects, and search for potential partners and investors. Thus, eight educational institutions of this community took part in the competition and got the opportunity to implement their ideas: Bila Tserkva Lyceum – “INTERMEZZO Eco-Leisure Club; Krasnohorivka Lyceum - “Creation of a modern studio of Ukrainian language and literature in Krasnohorivka Lyceum”; Rokytiany Lyceum - “Modern chemical laboratory in Rokytiany Lyceum”; Mostovyshchyna Gymnasium - “Creation of a mobile cinema for students of Mostovyshchyna Gymnasium”; Popivska Gymnasium – “Creation of a Centre for Digital Educational Technologies on the basis of Popivska Gymnasium”; Birkivska Gymnasium – “Creation of a

coworking centre using modern information technologies for Birkivska Gymnasium”; Podilska Gymnasium - “Equipping a sports complex “Sport for All” in Podilska Gymnasium”; Balakliyivska gymnasium - “Creation of a modern scientific laboratory of natural sciences on the basis of Balakliyivska gymnasium”; “Arrangement of a comfortable educational environment for study and recreation in Bila Tserkva secondary school”; “Mobile open-air cinema of Bila Tserkva secondary school”; “Modern children - a modern maths classroom (within the framework of the “Year of Mathematics”), the village of Krasnohorivka”; “Arrangement of a place of active recreation ”Sports Town” for schoolchildren of Balakliya village”. The implementation of the projects has taught students how to initiate and disseminate their own ideas and learn to work in a team [23]. As part of implementing the participatory budget, the Bila Tserkva Territorial Community Development Strategy until 2025 and the Education Sector Development Strategy were approved based on proposals submitted by various population categories, which were expressed in surveys involving more than 1,100 people [23].

Poltava [24], Kremenchuk [25], Myrhorod [26] urban territorial communities, Nekhvoroshcha [27], Kozelshchyna [28] and other territorial communities also involve residents in the decision-making of local affairs through various forms of participation. As practice shows, public budget programmes - participatory budgets - have become quite popular and effective. During the implementation of budget projects, residents can feel the results of their joint work and control the distribution of community budgets. In particular, in Kremenchuk, the Regulation of the city target programme “Public Budget” for 2016-2020 was developed and adopted. The number of people who participated as of 01.01.2018 was 221.3 thousand, and projects were implemented in 2018 for UAH 6000.0 thousand [25]. In 2018, 289.5 thousand people took part in public budget programmes in Poltava, and the total amount of funding was UAH 11000.0 thousand [24]; the city of Myrhorod - 39.8 thousand people joined this form of participation and implemented projects worth UAH 990.0 thousand [26]; the town of Horishni Plavni - 54.1 thousand people participated, and the total amount was 1000.0 thousand UAH [29]; Pyriatyn

Territorial Community - 15.4 thousand people participated, and the amount of funding was 743.1 thousand UAH [30]; Zavodska urban territorial community - 8.2 thousand people participated and 200.0 thousand UAH [31]. In total, in 2018, 1413.8 thousand people were involved in this programme in the Poltava region, and the amount of funding was UAH 6000.0 thousand (excluding the city of Poltava) [32].

Thanks to the European experience, one of the directions of activity of territorial communities is establishing partnerships and cooperation with representatives of socially-oriented business. Noteworthy is the Smart Region platform of Poltava region, which highlights the most significant events, projects, programmes taking place in the area with the participation of citizens [33] and makes local government more transparent for citizens. The project “Integration of Internally Displaced Persons into the Communities of the Poltava Region” is socially significant and relevant and is being implemented by three communities: Hradyzka, Zinkivska and Reshetylivska. The regional council joined the training of young people to work in local authorities by implementing the project “From the Student Classroom to the Government Offices”, etc [33]. To summarise, territorial communities of Ukraine, such as the Poltava region, use various approaches in order to engage residents in governance. This contributes to the formation of open communities, in which relations are based on the principle of equal partnership, and the European experience gained for further development is significant.

Today, local self-government bodies in Ukraine have assumed many functions and responsibilities, especially in war. The decentralisation reform based on the principles of subsidiarity has been shown to have improved the institutional management structure; given communities more independence, powers, financial and material support; balanced the interests of communities within the district and region; and created the basis for the formation of capable local communities and active life. Communities have been given the opportunity to develop inter-community partnerships and establish a constructive dialogue with business representatives, entrepreneurs, and all stakeholders.

The absolute copying of foreign models of local government organisations is

inappropriate, as the borrowed experience should meet the needs of domestic realities, taking into account our own traditions and resources. European experts have positively assessed the reform of decentralisation of power, and it would be advisable to introduce a local ombudsman institution, which is effective in European countries, to protect the rights of citizens to participate in local self-government.

The European experience shows that changes at the local level should be accompanied by more significant publicity and openness so that quantitative indicators of consolidation of communities, rayons, and starosta districts do not lead to a decline in the quality of life of people. It should be emphasised that the history of self-government development in Europe demonstrates that executive authorities seek to control self-governing institutions. This process is time-consuming and sometimes justified if the decisions of self-government bodies violate the constitution or are contrary to the public interest. However, in Ukraine, due to the weakness of self-government in the context of the Russian-Ukrainian war, excessive control can be detrimental to the reform.

REFERENCES

1. Batanov, O.V. Konstytutsiino-pravovyi status terytorialnykh hromad v Ukraini. Kyiv, 2003 [in Ukrainian].
[Батанов О. В. Конституційно-правовий статус територіальних громад в Україні /За заг.ред. В. Ф. Погорілка. Київ: Видавничий дім «Ін Юре», 2003. 512 с.].
2. Viurtenberher, T. Istoriia ta lehitymatsiia detsentralizovanoi derzhavy. Kyiv, 2005 [in Ukrainian].
[Бюртенбергер Т. Історія та легітимація децентралізованої держави: В зб.: Організація регіональної та місцевої влади: досвід держав-членів Європейського Союзу. Спеціальне доповнене видання Українсько-європейського журналу з міжнародного та порівняльного права. К.: Вид-во ТОВ «Українська консалтингова група», 2005. 128 с.].
3. Grabbe, H. How does Europeanization affect CEE governance? Conditionality, diffusion and diversity. *Journal of European Public Policy*, 2001. 6: 1013-1031.
4. Donos, L., Ploskyi, K. Uprovadzhennia ta vdoskonalennia Hromadskoho biudzhetu: praktychni rekomendatsii. Kyiv, 2019 [in Ukrainian].
[Донос Л., Плоский К. Упровадження та вдосконалення Громадського бюджету: практичні рекомендації. Посібник. Київ, 2019. 98 с. – URL: http://pleddg.org.ua/wpcontent/uploads/2019/11/PLEDDG_Public_Budget_Guide_2019_UA.pdf]
5. Ishcheikin Ye.K. Polityko-pravovi zasady biudzhetu uchasti v systemi demokratychnykh praktyk: svitovyi dosvid i Ukraina. Kyiv, 2018 [in Ukrainian].
[Ищейкін Є.К. Політико-правові засади бюджету участі в системі демократичних практик: світовий досвід і Україна : монографія. Київ: Вид.-во «Юридична думка, 2018. 404 с.].

6. Kresina, I.O. Reformuvannya administratyvno-terytorialnoho ustroiu: ukrainskyi ta zarubizhnyi dosvid. Kyiv, 2011 [in Ukrainian].
[Реформування адміністративно-територіального устрою: український та зарубіжний досвід: Монографія / Кресіна І.О., Береза А.В., Віткам К.М., Дівак В.В., Іжа М.М., Коваленко А.А., Кучабський О.Г., Лойко Л.І., Матвієнко А.С., Перегуда Є.В., Стойко О.М., Явір В.А., За ред. І.О. Кресіної. Київ: Інститут держави і права ім. В.М. Корецького НАН України : Логос, 2011. 400 с.]
7. Lopushynskiy, I.P. Orhanizatsiia diialnosti orhaniv mistsevoho samovriaduvannya v suchasnykh umovakh. Kyiv, 2016. [in Ukrainian].
[Лопушинський І.П. Організація діяльності органів місцевого самоврядування в сучасних умовах. *Місцеве самоврядування в умовах децентралізації влади в Україні*: Колективна монографія / Кол.авт.; за заг. ред. Р.М. Плюща. Київ: РІДНА МОВА, 2016. С. 471-500.]
8. Matviienko, A.S. Polityko-pravovi zasady terytorialnoi orhanizatsii derzhavy: svitovyi dosvid i Ukraina. Kyiv, 2015. [in Ukrainian].
[Матвієнко А.С. Політико-правові засади територіальної організації держави: світовий досвід і Україна: монографія. Київ: Ін-т держави і права ім. В.М. Корецького НАН України, 2015. 376 с.]
9. Nelytskyi, A. Ustroi, zavdannia ta praktyka funktsionuvannya terytorialnoho samovriaduvannya u Polshchi. Warsaw, 2006 [in Ukrainian].
[Нелицький А. Устрій, завдання та практика функціонування територіального самоврядування у Польщі / А. Нелицький, І. Захаряш; [пер.з польськ. А. Бучко-Сподарек, Г. Сподарек.] Варшава: Т-во Східноєвропейський Демократичний Центр, 2006. 214 с.]
10. Saliuta, V.A. Zaprovadzhennia krashchykh yevropeiskykh praktyk stanovlennia ta rozvytku terytorialnykh hromad v Ukraini. 2019 [in Ukrainian].
[Салюта В.А. Запровадження кращих європейських практик становлення та розвитку територіальних громад в Україні. *Агросвіт*. № 7, 2019. С.65-70.]
11. Temeshy Y. Mestnoe samoupravlenye v Venhryu. Budapest, 2000 [in Russian].
[Темеші І. Местное самоуправление в Венгрии. *Децентрализация: эксперименты и реформы* / под.ред. Т.М. Хорвата. Будапешт, LGI, 2000. Т.1. С. 145.]
12. Zakon Ukrainy Pro dobrovilne obiednannia terytorialnykh hromad, 2015 [in Ukrainian].
[Закон України Про добровільне об'єднання територіальних громад. *Відомості Верховної Ради України*, 2015. № 13. Ст.91. 3].
13. Pro zatverdzhennia Metodyky formuvannya spromozhnykh terytorialnykh hromad, 2015 [in Ukrainian].
[Про затвердження Методики формування спроможних територіальних громад. *Постанова Кабінету Міністрів України від 8 квітня 2015 року №214*. URL: <https://zakon.rada.gov.ua/laws/show/214-2015-%D0%BF#Text>].
14. Kontsepsiia reformuvannya mistsevoho samovriaduvannya ta terytorialnoi orhanizatsii vlady v Ukraini, 2014 [in Ukrainian].
[Концепція реформування місцевого самоврядування та територіальної організації влади в Україні. *Розпорядження Кабінету Міністрів України від 1 квітня 2014 року №333-р*. URL: <https://zakon.rada.gov.ua/laws/show/333-2014-%D1%80#Text>].
15. Konstytutsiia Respubliky Bolharii [in Russian].
[Конституція Республіки Болгарії. URL: http://lib.rada.gov.ua/static/LIBRARY/catalog/law/bgr_constitut.html].
16. Konstytutsiia Cheskoï Respubliky [in Czech].
[Конституція Чеської Республіки. URL: <https://www.cak.cz/assets/ustava-copy.pdf>].
17. Konstytutsiia Uhorskoï Respubliky [in Russian].
[Конституція Угорської Республіки. URL: <https://legalns.com/download/books/cons/hungary.pdf>].
18. Konstytutsiia Polskoï Respubliky [in Ukrainian].
[Конституція Польської Республіки. URL: <https://pravo.org.ua/books/konstytutsiya-polskoyi->

respubliky].

19. Constitutia Romaniei [in Romanian].

[Конституція Румунії. URL: <https://www.constitutia.ro/const.htm>].

20. Konstytutsiia Slovatskoi Respubliky [in Ukrainian].

[Конституція Словацької Республіки. URL: www.slov-lex.sk/documents/10184/493489/460_1992_1.pdf/716c7f51-7b5b-416f-9fbe-f09b4dcb2127].

21. Pro samovriaduvannia voievodstva vid 5 chervnia 1998 roku. Poland [in Ukrainian].

[Про самоврядування воєводства від 5 червня 1998 року. Польща. URL: <https://www.csi.org.ua/publications/zakon-pro-samovryaduvannya-voyevodstva-v/>].

22. Velykobudyshchanska silska terytorialna hromada Myrhorodskoho raionu Poltavskoi oblasti [in Ukrainian].

[Великобудищанська сільська територіальна громада Миргородського району Полтавської області. URL: <https://velbud-gromada.gov.ua/>].

23. Bilotserkivska silska terytorialna hromad Myrhorodskoho raionu Poltavskoi oblasti [in Ukrainian].

[Білоцерківська сільська територіальна громад Миргородського району Полтавської області. URL: <http://biloteg.org.ua/>; Стратегія розвитку до 2025 року. URL: <http://biloteg.org.ua/wp-content/uploads/2018/03/%D0%A1%D0%A2%D0%A0%D0%90%D0%A2%D0%95%D0%93%D0%86%D0%AF.pdf>].

24. Poltavska miska terytorialna hromada [in Ukrainian].

[Полтавська міська територіальна громада. URL: <http://www.rada-poltava.gov.ua/people> <https://www.rada-poltava.gov.ua/>

25. Kremenchutska miska terytorialna hromada Poltavskoi oblasti [in Ukrainian].

[Кременчуцька міська територіальна громада Полтавської області. URL: <http://kremrada.pl.ua/gromady/krem-gromada.html>].

26. Myrhorodska miska terytorialna hromada Poltavskoi oblasti [in Ukrainian].

[Миргородська міська територіальна громада Полтавської області.

URL: <https://myrgorod.pl.ua/>].

27. Nekhvorooshchanska silska terytorialna hromad Poltavskoho raionu Poltavskoi oblasti [in Ukrainian].

[Нехворощанська сільська територіальна громад Полтавського району Полтавської області. URL: <https://nchvorosha-gromada.gov.ua/>].

28. Kozelshchynska selyshchna terytorialna hromada Kremenchutskoho raionu Poltavskoi oblasti [in Ukrainian].

[Козельщинська селищна територіальна громада Кременчуцького району Полтавської області. URL: <https://kozeshchynska-gromada.gov.ua/>].

29. Horishnoplavnivska miska terytorialna hromada Kremenchutskoho raionu Poltavskoi oblasti [in Ukrainian].

[Горішньоплавнівська міська територіальна громада Кременчуцького району Полтавської області. URL: <https://gplavns.pb.org.ua/>].

30. Pyriatynska miska terytorialna hromada Poltavskoi oblasti [in Ukrainian]. [Пирятинська міська територіальна громада Полтавської області. URL: <https://pyriatyn.org.ua/>].

31. Zavodska miska terytorialna hromada Myrhorodskoho raionu Poltavskoi oblasti [in Ukrainian].

[Заводська міська територіальна громада Миргородського району Полтавської області. URL: <http://zv.gov.ua/>].

32. Poltavska oblast [in Ukrainian]. [Полтавська область. URL: <https://poltava-oblbudget.e-dem.in.ua/>].

33. Smart Region Poltavskoi oblasti [in Ukrainian].

[Smart Region Полтавської області. URL: <https://smartregion.pl.ua/>].

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