

Artem Hirzhev,
Postgraduate student
at the Institute of Public Administration,
Petro Mohyla Black Sea State University

DEVELOPMENT OF LOCAL SELF-GOVERNMENT LEGISLATION UNDER THE CONDITIONS OF PUBLIC ADMINISTRATION REFORM

.....
The challenges now faced by Ukraine, largely due to the fact that we failed to form a strong local self-government that would effectively solve local issues, ensuring better living standards of Ukrainians and releasing the central authority from no inherent functions. Although the necessity of local self-government reforming was discussed in the country almost 20 years, attempts to implement have not been successful. Today decentralization is not just desire to improve public administration, but a prerequisite for overcoming the political crisis that exists in Ukraine. One of the main reasons for this situation is seen in an imperfect legal regulation of relations in the sphere of local government, creating the need for its detailed analysis.

The legislation which regulates social relations in the sphere of local self-government is analyzed. A number of legal acts in this area in the context of their historical development are considered. It is determined that a major problem in ensuring strong local government is imperfect legal regulation, although it is constantly progressing. Some positive and negative aspects of valid legislation and proposed amendments to it are presented.

Keywords: local self-government, legislation, legal regulation, Constitution, law.

Girżew A.O. Rozwój ustawodawstwa dotyczącego samorządu w zakresie reformy administracji publicznej.

W artykule zbadano ustawodawstwo regulujące stosunki społeczne w sferze samorządowej. W szczególności przeanalizowano szereg aktów prawnych w tej dziedzinie w kontekście ich rozwoju historycznego. Wskazano, że jednym z podstawowych problemów w zapewnieniu silnego samorządu są niedoskonałe regulacje prawne, chociaż te regulacje cały czas ulegają rozwojowi. Ponadto, artykuł przedstawia kilka pozytywnych i negatywnych aspektów aktualnego ustawodawstwa oraz propozycje poprawek do niego.

Słowa kluczowe: samorząd, ustawodawstwo, regulacja prawna, konstytucja, ustawa.

Гіржєв А. О. Розвиток законодавства про місцеве самоврядування в умовах реформування державного управління

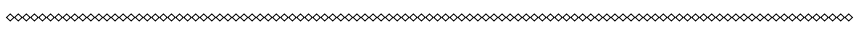
У статті аналізується законодавство, яке регулює суспільні відносини у сфері здійснення місцевого самоврядування. Зокрема розглянуто ряд нормативно-правових актів у зазначеній сфері в контексті їх історичного розвитку. Визначено, що одна з основних проблем у забезпеченні сильного місцевого самоврядування полягає в недосконалому правовому регулюванні, хоча воно постійно прогресує. Також у статті викладені деякі позитивні і негативні моменти чинного законодавства та запропонованих проектів змін до нього.

Ключові слова: *місьцеве самоврядування, законодавство, нормативно-правове регулювання, конституція, закон.*

Гиржєв А. А. Развитие законодательства о местном самоуправлении в условиях реформирования государственного управления

В статье анализируется законодательство, регулирующее общественные отношения в сфере осуществления местного самоуправления. В частности рассмотрен ряд нормативно-правовых актов в указанной сфере в контексте их исторического развития. Определено, что одна из основных проблем в обеспечении сильного местного самоуправления заключается в несовершенном правовом регулировании, хотя оно постоянно прогрессирует. Также в статье изложены некоторые положительные и отрицательные моменты действующего законодательства и предложенных проектов изменений к нему.

Ключевые слова: *местное самоуправление, законодательство, нормативно-правовое регулирование, конституция, закон.*



Introduction

The challenges now faced by Ukraine, largely due to the fact that we failed to form a strong local self-government that would effectively solve local issues, ensuring better living standards of Ukrainians and releasing the central authority from no inherent functions. Although the necessity of local self-government reforming was discussed in the country almost 20 years, attempts to implement have not been successful. Today decentralization is not just desire to improve public administration, but a prerequisite for overcoming the political crisis that exists in Ukraine [2].

One of the main reasons for this situation is seen in an imperfect legal regulation of relations in the sphere of local government, creating the need for its detailed analysis.

Analysis of recent research

This issue was analysed by scientists such as O. Batanov, V. Bordeniuk, S. Serohina, V. Zhuravskiy, B. Rusnak and others. However, they were consid-

ered some aspects of the problem creating a need for a comprehensive analysis of local self-government legislation. This article is devoted to this subject.

Statement of research objectives

The aim of this article is comprehensive analysis of legislation on local government.

Results

The course of the creation in Ukraine of local self-government as one of the main elements of an independent, social, democratic and legal state was taken in 1991. The President Leonid Kravchuk in his speech to the Verkhovna Rada of Ukraine said that "... every citizen of Ukraine will have the right to participate in management of community affairs both directly and through their representatives in local government, and local governments will be equal in relation to local government" [4, c. 23].

In early 1992 two laws were passed - "On the Representative of the President of Ukraine" and "On the local councils of deputies and local government." First law introduced executive branch with the Representatives of the President in the regions that performed state executive power and controlled local government concerning their execution of delegated state functions. Law "On the local councils of deputies and local government" (1992) was aimed at creation of a system which would combine the principle of governance in the region through the state administrations headed by the Representatives of the President with broad autonomy of community and on the other hand, in settlements through organs of government with broad powers [9].

It should be noted that in 1993-1994, Ukraine has adopted a number of legislative acts that expanded the rights of regional and local self-government. In particular, the Resolution of the Cabinet of Ministers of Ukraine "On regional economic cooperation between Dnipropetrovsk, Donetsk, Zaporizhzhia and Luhansk regions" dated of June 21, 1993; the Decree of the President "On delegation of authority to manage the property that is in the state ownership to Dnipropetrovsk, Donetsk, Zaporizhzhia and Luhansk Regional State Administrations" dated of November 26, 1993; "On additional measures as to delegation of powers to manage the property that is in the state ownership to Dnipropetrovsk, Donetsk, Zaporizhzhia and Luhansk regional state administrations" dated of February 12, 1994 [7].

The next step was the adoption of the Law "On the formation of local government" in 1994. Local state administrations ceased to exist and the destruction process of legal background of state executive power vertical was initiated. This process was completed when the institute of Representatives of the President was abolished in June, 1994. The law was in force about half a year. During this short period of time bodies of local government had to solve all local problems. They were also delegated the authority of local government executive power

which had to be implemented through the activity of reestablished executive committees. At that time it was optimal when representative and executive bodies of local self-government are relatively independent and united under the guidance of the chairman of council. In the area of delegated powers the chairman and executive committee are subordinate to executive committees of councils, higher in the hierarchy, and the Cabinet of Ministers [19, c. 6-7].

During the elections in 1994, held under the Law "On elections of deputies and heads of village, district, city, borough, regional councils" (1994), chairmen of councils of all levels (except borough) were elected by the population of respective administrative units. To some extent, this was regarded as strengthening the status of not only officials, but local and regional governments in general, because the system of local government was created at all administrative and territorial levels with direct participation of the population. However, the Verkhovna Rada still has the competence to cancel decisions of local councils and to dissolve them. This fact leveled autonomy of local councils to some extent [19, c. 7].

This model of local government has received mostly ambiguous reviews of scientists. Some scientists think that it can provoke separatist tendencies among newly elected heads. Other scientists pointed to the threat of "democratic centralism" renewal and consider that its introduction causes a period of "acute crisis and confrontation of state authorities» [8, c. 7] and weakening the executive branch. At that time the newly elected President Leonid Kuchma did not want to accept it and insisted on the renewal of the executive power vertical. In this situation the search for an acceptable model of local government and its cooperation with the institutions of state power intensified [19, c.7].

Finally, the new law "On the state power and local government" was put into effect by entering into a Constitutional Agreement between the Verkhovna Rada and the President on June 8, 1995. According to it the model of local government, acting on the basis of the law 1992 was reestablished, local state administration were restored. They were subordinated from the top to bottom in accordance with executive vertical. Executive committees were dissolved again. Formal self-government remained only at the level of settlements. The system of local administration had, moreover, another controversial feature: the chairman of council (government) and the head of the relevant state administration (state power) is the same person, also elected by the whole population as the chairman of council, while the President received the right to appoint heads of administrations. The law was criticized greatly for a retreat from the achievements of the previous period regarding the development of local and regional self-government and democratization of power relations in general. Another negative feature was disrespect for the Constitution, which could be applied only to the part that does not contradict the Constitutional Agreement [19, c. 7-8].

Further formation of local self-government in Ukraine has been associated with the development and adoption of a new Constitution. Controversial constitutional process culminated in 1996. The Constitution of Ukraine was adopted and ratified. It fixed the basic principles of local government in Ukraine, which is governed by the law of the territorial community to solve local issues within the Constitution and laws of Ukraine.

The Constitution of Ukraine as the document of long-term actions identified only general guidelines for the development of local government in Ukraine. Therefore the further process of municipal reform began with the development and adoption of a comprehensive law on local government. The vagueness of certain provisions of the Constitution of Ukraine led to the development of different approaches to the new law development, as reflected in two drafts.

After long discussions, mutual concessions and compromises the Law "On local government in Ukraine" was passed on June 28, 1997. This law was introduced the institute of village, township head and mayor. The posts of chairman of the district and regional councils and chairman of district and regional administrations were split. The principles of state support, guarantees and judicial protection of local self-government were stated for the first time. It was also determined that the primary subject of local self-government, the main carrier of its functions and powers is not the council and its executive bodies, as claimed in previous laws but local community of village, and city (Article 6). Such procedural mechanisms of government as local initiatives and public hearings were introduced. The new provisions also include the separation of powers of government into own and delegated by the State [19, p. 8].

A number of presidential decrees aimed at developing and strengthening local government were approved: "The issue of the Foundation for local self-government in Ukraine" on December 19, 1995; "On provision of Foundation for local self-government in Ukraine and the staff of its board" on May 5, 1996 and "On the Coordination Council for Local Government" on May 13, 1997

A topical question was ensuring clear separation of 92 functions of local state administrations and local self-government in transitional period according to the strategy of administrative reform to decentralize government. Their role in the organization of people's lives should gradually increase and preserve powers of state administrations. Local self-government in general had to be based on provisions of the Constitution and the law on local self-government, to take into account fundamental principles formulated in the Universal Declaration of Local Government and the European Charter of Local Self-Government. The latter was ratified by the Verkhovna Rada of Ukraine on July 15, 1997 and became an inseparable part of the legislation of Ukraine [8, p. 92-93].

Ratification of the European Charter of Local Self-Government shows that Ukraine recognizes the right of citizens to participate in the management

of public affairs at the local level. The state acknowledges that local authorities are one of the foundations of a democratic society, and the protection and strengthening of local government in the country is its duty and contribution to the building of a new Europe. Parliament adopted Law of Ukraine “On local state administrations” on June 3, 1997 which defined the functions and powers of state administrations and local bodies of government. However, this law was not signed by the President and was inactive for two years. Therefore, there was no separation of powers and this has led to the fact that these bodies often clashed through different understanding of the limits of performance of their functions and powers. The adoption of the Law “On local state administrations” by Parliament in 1999 was an attempt to solve this problem. The authorities tried to minimize the conflict between public administrations and councils at the regional and district levels. However, the impact of local state administrations on the agenda forming and decision-making in local councils remained. The state did not perform many of their functions as to expansion of the scope of government, successfully maintaining a high degree of centralization [21].

On May 25, 2001 Decree of the President of Ukraine “On the Concept of State Regional Policy”, and on August 30, 2001 Decree of the President of Ukraine “On state support of development of local government in Ukraine” were issued. They approved the program of state support for the local government in Ukraine [6, p. 10].

Particularly, the Law of Ukraine “On service in local self-government” was intended to regulate the legal, organizational, financial and social conditions for realizing the right to serve in local government by citizens of Ukraine, to determine general principles of work of local government officials, their legal status, procedure and legal guarantees of their service in local government [15].

Prior to the adoption of the Law of Ukraine “On service in local government” dated of 06.07.2001 service in the system of local self-government was regulated by the Law of Ukraine “On civil service”. In accordance with Article 2 of the Resolution of Verkhovna Rada of Ukraine On Implementation of the Law of Ukraine “On civil service” it was established that this law was applied to officials of local government, who were equal to the relevant categories of civil servants [1, p. 323].

The Law of Ukraine “On the organs of self-organization of population” was adopted on July 11, 2001. It determined the legal status, organization and functions of organs of self-organization of population [13].

It should be noted that from 1990 to 2002 more than three thousand legal acts were passed, including about 700 laws which considered directly or indirectly some aspects of local and regional development, including the question of the structure and activity of local government [6, p. 10].

The period from 2004 to 2006 is characterized by government reforming. It occurs under the influence of the Orange Revolution of 2004 and local elections in 2006. This stage is actually a preparation for the real constitutional reform of local self-government.

At this stage, Parliament adopted the Law “On elections of deputies of the Autonomous Republic of Crimea, local councils and village chairmen, city mayors,” “On the separation of state and municipal property” and laws on constitutional reform of local government (December 8, 2004 and December 23, 2005).

Law of Ukraine “On elections of deputies of the Autonomous Republic of Crimea, local councils, and village chairmen, city mayors” (dated of 04.06.2004, No. 1667-IV) initiated using two types of electoral systems: plurality voting system for the election of deputies of village councils and village chairmen, and city mayors, and for elections of regional, district and city councils – proportional representation system with closed lists in a single territorial district [17]. It should be noted that the previous law (“On elections of deputies of local councils and village chairmen, and city mayors” dated of 01.14.1998) mostly used a plurality voting system of relative majority.

Law dated of 04.06.2004 No. 1667-IV has not been criticized without grounds. The proportional system was criticized for the fact that it leveled the influence of voters on the nomination of candidates and the personal membership of elected councils. It broke contacts between voters and deputies, also helped business to establish control over the councils. This type of voting system unnecessarily increased the role and status of party leaders and transferred interparty debate to the local council, which would have solved economic issues pragmatically. It has one more significant disadvantage - promoting the transformation of district and regional councils to bodies which represent “narrow party or corporate interests of regional elites» [3, p. 126].

Plurality voting system of relative majority aroused criticism that there were too many nominated candidates in some places and people who scored less than 15% of all votes became village chairmen and city mayors. It did not provide them an adequate level of legitimacy. We should remind that on July 14, 2015 Parliament passed a new law “On local elections” which uses advantages of these voting systems leveling disadvantages. In particular, law determines that local elections will be held according to the following voting systems:

1. Elections of village councils are held under the plurality voting system of relative majority in single-member constituencies. The territory of village (several villages whose residents voluntarily amalgamated into one village community), the territory of united territorial community, established under the Law of Ukraine “On voluntary amalgamation of the territorial communities” is divided into single-member constituencies.

2. Elections of deputies of the Autonomous Republic of Crimea, regional, district, city councils are held by proportional representation system in multi-member constituency using electoral lists of local organizations of political parties, coalitions of local organizations of political parties on nomination of candidates in the territorial election districts. Multi-member constituency is divided into the territorial election districts that match to the territory of the Autonomous Republic of Crimea, region, district, city, under existing administrative and territorial structure, or the territory of united territorial community, district in city.

3. Election of city (cities, in which the number of voters is equal to 90,000 or more) mayors are held by the plurality voting system of absolute majority in a single-member constituency that match to the territory of a city, in accordance with the existing administrative and territorial structure, or the territory of united territorial community.

4. The elections of village chairman, city (cities, in which the number of voters is less than 90,000) mayor are held by the plurality voting system of relative majority in a single-member constituency, which includes the territory of relevant village (several villages whose residents voluntarily amalgamated into one village community), city under the existing administrative and territorial structure or the territory of united territorial community.

5. The elections of village headman are held by the plurality voting system of relative majority in a single-member constituency, which includes the territory of relevant village within the united territorial community [12].

According to the law they suggest to establish the number of members of relevant local councils. It will be determined by the Central Election Commission before the electoral process of next elections based on the number of voters who belong to the territorial community, live in the region, district, district in city. This provision is reflected in the Law of Ukraine "On local self-government in Ukraine". The right to determine the quantity of council staff was excluded from the jurisdiction of councils in Articles 26, 43, 45. In our opinion these changes are positive because they exclude the possibility of promotion of "their people".

Final approval of the European course of Ukraine (including the signing the political part on March 21, 2014 and economic part of the Association Agreement between Ukraine and the EU on June 27, 2014 [20]) has set a number of tasks to Ukrainian society.

Realizing it, the Cabinet of Ministers of Ukraine by its order dated from April 1, 2014 p. No. 333-p approved third Concept of reforming local government and territorial organization of power in Ukraine [14]. The first legal act that dealt with the reform of local government was the Concept of state regional policy, approved by decree of the President of Ukraine on May 25, 2001 No. 341/2001 [11]. The Concept of local government reform, in accordance with European standards, was approved by the Cabinet of Ministers of Ukraine on

July, 29 2009 No. 900-p, but it was unreasonably abolished in 2012 [2, p. 10]. It should be noted that implementation of the “new” Concept requires not only amending the Constitution, but changing and adopting regulations.

In particular, many innovations of the law “On local elections” and the Law “On local government in Ukraine” are directly related to the adoption of the Law of Ukraine “On voluntary amalgamation of the territorial communities” dated of 02.05.2015 No. 157-VIII.

This law aims to regulate relations arising in the process of a voluntary amalgamation of the territorial communities of villages and cities. However, in practice a number of problems that would be solved by this law, has not been resolved. Besides the law contains a number of contentious issues for which this law is actively criticized by both politicians and scientists.

The first problem is “voluntary” amalgamation. The communities actually have to unite under the pressure of the law according to which funding is only for those who amalgamated (Article 10) [10].

Besides, “Methods of forming competent territorial communities” developed by the government is controversial. In accordance with it, regional state administration (Council of Ministers of the Autonomous Republic of Crimea) is charged with developing draft of long-term plan of amalgamation. Then the Cabinet of Ministers of Ukraine approves it. Some authors consider these actions as flagrant interference of the government in the activity of self-government bodies, neglect of the European Charter of Local Self-Government and the Constitution of Ukraine (Article 140): “Local government is the right of a territorial community, residents of a village or a voluntary amalgamation of residents from some villages into one village community, towns and cities to solve local problems...»[18].

Most problems arose at the stage of providing conditions for voluntary amalgamation of the territorial communities determined by law. In practice, it turned out that the amalgamation plans developed by regional state administrations do not always match the wishes of the population.

In terms of these transformations it is expedient to note that the concept “village headman” came into being in the Ukrainian legislation for the first time. This post aims to replace village councils. However, according to the Law “On local government in Ukraine” a village headman does not actually have powers to solve problems previously resolved by village council. That is, in all cases a village headman will have to apply to the united council (which is in another locality) in order to solve any issues. As some authors note: “Easy to predict that the amount of work to be done will increase, councils will be simply overloaded with appeals from enlarged community” [5].

The purpose of new Constitution of Ukraine (draft law “On amendments to the Constitution of Ukraine (concerning decentralization of power)” dated

of 15.07.2015 No. 2217a [16] initiated by the President of Ukraine Petro Poroshenko, is to solve some of major problems regarding decentralization. We consider it is necessary to study the bill in details because it is the closest to the final stage of the constitutional process.

The purpose of the draft law is distancing from the centralized model of governance in the country, ensuring the capacity of the local self-government and creating effective system of territorial organization of power in Ukraine, implementing principles of subsidiarity, ubiquity and financial self-sufficiency of local self-government. To fulfill this task, the draft law proposes to amend Articles 85, 92, 106, 118, 119, 121, 132, 133, 140-144, 150, and Transitional Provisions of the Constitution of Ukraine.

These changes concern, first of all, decentralization of state power in Ukraine and strengthening constitutional and legal status of local government. It is proposed to establish that the administrative and territorial structure of Ukraine is based on principles of unity and state territorial integrity, decentralization of power, ubiquity and capacity of the local government, sustainable development of administrative-territorial units taking into consideration historical, economic, ecological, geographic and demographic peculiarities, and ethnic and cultural traditions.

The draft law provides that separation of powers in system of the local governments and their executive bodies follows the principle of subsidiarity that corresponds to the European Charter of Local Self-Government. Thus, in accordance with Article 4 of the Charter, organs of the local government, within the law, have full discretion to solve any issue, which is not excluded from their competence and solution of which is not assigned to any other authority.

In addition, local state administrations are excluded from the constitutional regulation. The institute of chairmen of local state administrations is also abolished. Instead, the main powers are concentrated in the community.

Material and financial basis of local self-government is determined (Article 142). In particular, it is determined that such basis is land, movable and immovable property, natural resources, and other objects of the communal property of territorial community; local taxes and levies, part of state taxes and other revenues of local budgets. In our opinion this article is particularly positive, as local taxes and levies, part of state taxes were defined as the basis for local self-government.

To supervise the compliance with the Constitution and laws of Ukraine local self-government bodies it is proposed to introduce the institute of prefects. Of particular note is the provision that the prefect stops the effect of acts of local self-government in explanation of their inconsistency with the Constitution or laws of Ukraine with a simultaneous appeal to court.

In addition, the draft law provides that in case of the adoption of the chairman of the community council, community, district, regional council act not in

conformity with the Constitution of Ukraine, posing a threat of violation of state sovereignty, territorial integrity or a threat to national security, the President of Ukraine stops the action of the relevant act with a simultaneous appeal to the Constitutional Court of Ukraine, temporarily stops the powers of the head of the community, the council of the community, district, regional council and appoints an interim state commissioner.

In case of recognition of the Constitutional Court of Ukraine Act of the chairman of the community, community council, district, regional council that does not correspond to the Constitution of Ukraine, the Verkhovna Rada of Ukraine on the recommendation of the President of Ukraine early terminate powers of the chairman of the community, community council, district, regional council and appoints early elections in accordance with the law.

Of particular note is the new version of Article 133, which provides for a new system of administrative-territorial system. According to this article system of administrative and territorial structure of Ukraine constitute administrative-territorial units: communities, districts, regions. The territory of Ukraine is divided into communities. The community is the primary unit in the system of administrative and territorial structure of Ukraine. Several communities constitute a district. Autonomous Republic of Crimea and areas are regions of Ukraine.

In our opinion, the term “community” is not well used to refer to the primary unit of administrative-territorial system because in the sphere of local government the term “local community” (enshrined in law) which indicates the residents of community is actively used. The emergence of similar terms (especially in one legal act) may confuse people who are not specialists in this area.

Also, it seems understandably references in Article 133 of the term “area” of Ukraine, while at the beginning of this Article stipulates that the administrative-territorial structure of Ukraine constitute communities, districts, regions, and there is no mention of “area” that actually should be replaced by the term “region”. Therefore, we think it would be appropriate to amend this article without mentioning the term “area”.

It should also be noted the changes proposed to the chapter on local government. So Article 140 was completely amended. In particular, according to part 1 of Article 140 of this draft law community carries out local government, both directly and through local authorities by independent public affairs management of local significance and management within the framework of the Constitution and laws of Ukraine.

We should mention that earlier part 1 of Article 140 contained a general definition of local government (local government is the right of a territorial community, residents of a village or a voluntary amalgamation of several villages into a village community, and cities, to solve local issues within the Constitution and laws of Ukraine). This definition is, in our opinion, the most appropri-

ate therefore its exclusion from the draft Constitution (though this definition is almost completely duplicated in the Law “On local government in Ukraine”).

As we see, the content of the draft law is generally positive, but the amendment of the Constitution is only the first step as features of legal regulation are established by special legislation. The changes to this special legislation are only developed.

Conclusions

Having studied the legislation on local government in the process of its historical development, the author concludes that adopted and proposed changes to the legislation are generally positive. However, along with positive aspects, there are problems that must be solved. In particular “voluntary” amalgamation of communities is questionable, since financial pressure is seen in provisions of the law. Also, “Methods of forming competent territorial communities” developed by the government is very controversial. It has centralizing character (relevant state administration is charged with developing draft of long-term plan of amalgamation. Then the Cabinet of Ministers of Ukraine approves it. However, the most important problem is the lack of consistency of legal regulation, as it is expedient to adopt amendments to the constitution at the first stage of the reform (It would become the basis for the decentralization process,) and then based on it change other regulations.

References

1. Averianov V. B., Andriiko O. F., Bytiak Yu. P. (2004). Administratyvne pravo Ukrainy. Akademichnyi kurs [Administrative law of Ukraine. Academic Course]. Vol 1. Kyiv: Vydavnytstvo «Yurydychna dumka» Available at: <http://www.twirpx.com/file/153218/> [in Ukrainian].

2. Kovbasiuk Yu. V., Vashchenko K. O., Tolkovanov V. V. (2014). Mistseve samovriaduvannia v Ukraini: suchasnyi stan ta osnovni napriamy modernizatsii [Local government in Ukraine: current state and main directions of modernization]. Kyiv: NADU. Available at: http://www.academy.gov.ua/doc/koment-inter_prezident/2014/koment_iner_prezident_2014_05_16_1.pdf [in Ukrainian].

3. Kravchenko V. (2007). Polityko-pravovi naslidky zaprovadzhennia proportsiinnoi systemy na mistsevykh vyborakh v Ukraini [Political and legal results of implications of the proportional representation system in local elections in Ukraine]. *Vybory ta demokratsiia - Elections and democracy*, 2 (12), 125-128. [in Ukrainian].

4. Kravchuk L. M. (1992). Est takoe hosudarsvo Ukrainy [There is such state as Ukraine]. Kyiv: Hlobus [in Ukrainian].

5. Kulinich O. I. (2015). Chym zahrozhuiie «dobrovilno-prymusove» obiednannia hromad [The Dangers of “voluntary-compulsory” amalgamation of com-

munities]. *Ekonomichna Pravda - The economic truth*, 06.15.2015. Available at: <http://www.epravda.com.ua/columns/2015/06/15/546631/> [in Ukrainian].

6. Lanoviuk L. P. (2003). *Rozvytok mistsevoho samovriaduvannia v umovakh rozbudovy hromadianskoho suspilstva v Ukraini (90-ti roky XX stolittia – pochatok XXI stolittia)* [The development of local government in terms of civil society development in Ukraine (the 1990s - beginning of the 20th century)]. Extended abstract of candidate's thesis. Luhansk: Volodymyr Dahl East Ukrainian National University [in Ukrainian].

7. Lazor O. D., Zaiats D. D., Lazor A. O. (2009). *Rozvytok mistsevoho samovriaduvannia v Ukraini: teoretyko-pravovyi aspekt: naukova rozrobka* [The development of local government in Ukraine: theoretical and legal aspect: scientific development]. Kyiv: NADU. Available at: http://derzhava.in.ua:8081/upr_fundament_doslidzhen/DocLib4/2009/ЛПІДУ/Розвиток%20місцевого%20самоврядування%20в%20Україні%20теоретико-правовий%20аспект.pdf [in Ukrainian].

8. Lytvyn V. M. (2000). *Ukraina na mezhi tysyacholit (1991 - 2000 rr.)* [Ukraine on the brink of the millenniums (1991 - 2000 years.)]. Kyiv: Vydavnychiy dim «Alternatyvy». Available at: <http://www.twirpx.com/file/853607/> [in Ukrainian].

9. Lytvynenko I. L. (2002). *Istorychni tradytsii stanovlennia i rozvytku mistsevoho samovriaduvannia v Ukraini* [Historical traditions of formation and development of local government in Ukraine]. *Visnyk Khmelnytskoho instytutu rehionalnogo upravlinnia ta prava - Journal of Khmelnytsky Institute of Regional Management and Law*, 1. Available at: http://nbuv.gov.ua/j-pdf/Unzap_2002_1_10.pdf [in Ukrainian].

10. *Pro dobrovilne obiednannia terytorialnykh hromad. Zakon Ukrainy: vid 05.02.2015r., za № 157-VIII* [Law of Ukraine On a voluntary amalgamation of local communities from 02.05.2015, №157-VIII]. Available at: <http://zakon4.rada.gov.ua/laws/show/157-viii> [in Ukrainian].

11. *Pro Kontseptsiiu derzhavnoi rehionalnoi polityky. Ukaz Prezydenta Ukrainy vid 25.05.2001 r., za № 341/2001* [Decree of the President of Ukraine On the Concept of state regional policy from 05.25.2001, № 341/2001]. Available at: <http://zakon4.rada.gov.ua/laws/show/341/2001> [in Ukrainian].

12. *Pro mistsevi vybory. Zakon Ukrainy: vid 28.05.2015 r., za № 595-VIII* [Law of Ukraine On local elections from 05.28.2015, № 595-VIII]. Available at: <http://zakon4.rada.gov.ua/laws/show/595-19> [in Ukrainian].

13. *Pro orhany samoorganizatsii naseleння. Zakon Ukrainy: vid 11.07.2001 r., za # 2625-III* [Law of Ukraine On the organs of self-organization of population from 07.11.2001, №2625-III]. Available at: <http://zakon2.rada.gov.ua/laws/show/2625-14> [in Ukrainian].

14. *Pro skhvalennia Kontseptsii reformuvannia mistsevoho samovriaduvannia ta terytorialnoi orhanizatsii vlady v Ukraini. Rozporiadzhennia Kabinetu*

Ministriv Ukrainy vid 1.04.2014 r., za № 333-r [Order of Cabinet of Ministers of Ukraine On approval of the Concept of reforming local government and territorial organization of power in Ukraine from 04.01.2014, № 333-p]. Available at: <http://zakon4.rada.gov.ua/laws/show/333-2014-p> [in Ukrainian].

15. Pro sluzhbu v orhanakh mistsevoho samovriaduvannia. Zakon Ukrainy: vid 07.06.2001 r., za № 2493-III [Law of Ukraine On service in local government from 06.07.2001, № 2493-III]. Available at: <http://zakon4.rada.gov.ua/laws/show/2493-14> [in Ukrainian].

16. Pro vnesennia zmin do Konstytutsii Ukrainy (shchodo detsentralizatsii vlady). Proekt Zakonu Ukrainy: vid 15.07.2015 r. [Draft Law of Ukraine On Amendments to the Constitution of Ukraine (concerning the decentralization of power) from 15.07.2015]. Available at: http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=55812 [in Ukrainian].

17. Pro vybory deputativ Verkhovnoi Rady Avtonomnoi Respubliky Krym, mistsevykh rad ta silskykh, selyshchnykh, miskykh holiv. Zakon Ukrainy: vid 06.04.2004 r., za № 1667-IV [Law of Ukraine On election of deputies of the Verkhovna Rada of the Autonomous Republic of Crimea, local councils and village headmen and city mayors from 04.06.2004, № 1667-IV.]. Available at: <http://zakon3.rada.gov.ua/laws/show/1667-15> [in Ukrainian].

18. Pyrozhyk O. V. (2015) Dobrovilne obiednannia chy prymusova kolektyvizatsiia? [Voluntary amalgamation or forced collectivization?]. Informatsiina ahentsiia «Vholos» - Information agency “Aloud”, 05.30.2015. Available at: http://vgolos.com.ua/blogs/dobrovilne_obiednannya_chy_prymusova_kolektyvizatsiya_181829.html [in Ukrainian].

19. Rusnak B. A. (2004). Osnovy mistsevoho samovriaduvannia v Ukraini [Fundamentals of Local Government in Ukraine]. Chernivtsi: ChMHS Bukovynska Partnerska Ahentsiia [in Ukrainian].

20. Uhoda pro asotsiatsiiu mizh Ukrainoiu ta YeS. Material z Vikipedii [The Association Agreement between Ukraine and the EU. Wikipedia]. Available at: https://uk.wikipedia.org/wiki/Угода_про_асоціацію_між_Україною_та_ЄС

21. Yevtushenko O. N. (2010). Derzhavna vlada i mistseve samovriaduvannia v period stanovlennia ukraïnskoi derzhavnosti [State and local government during the formation of Ukrainian statehood]. Naukovi pratsi Chornomorskoho derzhavnogo universytetu imeni Petra Mohyly kompleksu «Kyievo-Mohylianska akademii». Ser.: Derzhavne upravlinnia - Proceedings of Petro Mohyla Black Sea State University of «Kyiv-Mohyla Academy». Ser.: Public administration, 112 (125). Available at: http://nbuv.gov.ua/j-pdf/Npch-du_2010_125_112_11.pdf [in Ukrainian].