

THE REFORM OF LOCAL GOVERNMENT IN THE REPUBLIC OF BELARUS

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The article examines the proposal of reforming of the local government system in the Republic of Belarus on the basis of some changes in legislation and experience of foreign countries. Particular attention is paid to the administrative-territorial reorganization as an economic basis for the reform.

The concept of local self-government in Belarus originates from the time of granting Magdeburg right for our cities, the first of which was Vilna, where the city began to control the popularly elected magistrate and Voight [4]. Since then, the local government in the Belarusian lands has passed a long way in its development, but in the present Belarusian realities it needs some further improvement.

In considering the question of reforming the system of local self-government in the Republic of Belarus the question about system of administrative-territorial unit should also be consider, as it determines the current three-tier system of local councils of deputies and executive committees which exercise their power in the primary, basic and regional levels. Equally problematic is the lack of independence of the existing administrative units, as well as the absence of a clear division of powers between local and central authorities, often abused than the last. That is why we need a comprehensive approach to the reform of local government.

It should be noted that in our country a proposal to revise the existing administrative-territorial division has been unsuccessfully discussed for several years. According to this proposal it is planned to abandon the division into regions (as too cumbersome), and replace it with a more rational division of 18 - 19 districts, which would meet the following requirements:

- The time required to reach the district center – in the range of 1.5–2 hours;
- The radius of the attraction zones – 60–100 km;
- County area – 7–15 thousand km²;
- Number of people – 200–900 thousand people (excluding Minsk).

Also, it's equally important that each formed administrative unit should have a relative economic autonomy, which cause by the need to develop the appropriate budget, to mobilize funds sufficient to ensure the population's needs, as well as for further strengthening of local government. To address this issue are invited to make reorganization of our territory, in accordance with the structure and location of industrial complexes and individual companies [2, c. 32].

Thus, the implementation of this proposal will contribute to more effective implementation of the management of territories, as well as will reduce budget expenditures for the maintenance of the administrative apparatus due to the abolition of regional councils of deputies and executive committees and the reorganization of the relevant authorities of the primary and basic levels with the transition to a two-tier structure (district and republican), which will form the basis of the economic autonomy of local government in the districts because at the moment there is just the opposite picture. Thus, nowadays according to the Ministry of Economy of the Republic of Belarus there are 118 districts, 115 of them are subsidized, 53 of them receive subsidies in the amount exceeding 50% of the revenue side [1].

Following the reform of the administrative-territorial structure will follow and reform of local government in the implementation of which at the moment there are some difficulties.

For a more detailed assessment of all problematical moments its consideration should begin from the very beginning – from the legislative definition. Thus, according to the Article 117 of the Constitution of our state, powers of local government and self-government are realized by citizens through local councils of deputies, executive and administrative bodies, as well as by means of other forms of direct participation of citizens in government and public affairs. [3] From this position should be that citizens residing in the respective territory have the right to decide the social, economic and political issues of local importance. However, Article 1 «About local government and self-government in the Republic of Belarus» clarifying provisions of the Constitution contains a clause about priority of national interests that should be taking into account while making decisions, which to some extent in conflict with the provisions of the Basic Law, and lays the foundation for further penetration of the element of state influence in the sphere of competence of local authorities [7].

Further, it should be noted that if previously the executive committees have executive bodies of the Soviets at the present time as a result of local government reform 1994-1995 they have to obey the government (on issues ascribed to its competence) and the President, which largely affects the structure and membership of the [7]. From this we can conclude that the authorities carried out at the local level, a clear inherent duality, are contrary to the concept of local self-government.

That is why, given the proposed version of the transition from a three-tier to two-tier system of territorial system with the release of the district and national levels, the rational in the organization of local self-government and the division of powers between state and local authorities represented the experience of Poland – a country that has common with Belarus socialist past, a similar area and similar mono-ethnic composition of the population. So, in Poland Sejmik is the representative body of the local government elected directly by the population of its territory. In turn, Sejmik generates Rada – the executive body, accountable to it in their activities, which, apparently, provides complete independence from the provinces of the central government in dealing with the major issues of local significance [2, c. 34].

On the issue of the distribution of competence, we can resort to the experience of Sweden, where the state government sets aside questions of foreign policy and defense, law enforcement and national security, macroeconomics, higher education, social security, housing policy, the main transportation routes, labor and employment. In the same resolution the communes are given environmental issues, the formation and control of the rescue services, health care and schooling, social security and social protection, urban transport and a wide range of public services [5, c. 14-15].

No less interesting is the experience of the Czech Republic, especially in the matter of organization and conduct of elections, where the right to submit their nominations by representatives of various parties, which represented complete freedom in the election campaign (agitation, meetings with voters, and others.), as well as complete independence in the selection of their funding sources. The procedure for counting of votes is also noteworthy because be present at the same time citizens have the right and in unlimited quantities, and party members, and representatives of the media, which provides full transparency of procedure and eliminates the possibility of electoral fraud [6].

Regarding the financial and economic side of the issues we need to turn to the experience of Estonia, where the basis for their decision two complementary principles: the principle of horizontal alignment income (they made a territory with a large income to the state budget have higher level of tax deductions in order to cover its expenditure side), and the principle of rationing costs (the earmarked funding from the state budget «backward» areas due to tax deductions paid more «developed» areas) [8, c. 41-43].

Summarizing all the above, I would like to say that despite the fact that the current government in our country is implemented inefficiently the population of Belarus has historically not accustomed to self-government and the responsibility which it invariably entails, yet a comprehensive approach to solving this problem by means of the reform of administrative and territorial structure and then making a number of changes in the legislation of the Republic of Belarus will be able to move closer to its main objective – the building of a democratic and social state of law.

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