

## **Decentralization processes in Poland and Hungary as a reference point for Ukraine**

Decentralization tends to expand the local self-government, it activates the population to meet their own needs and interests, and it narrows the sphere of state influence on society. Each country has its own history of establishing the principles of building and developing specific self-governing bodies, their interaction with central authorities, and enshrines them in constitutions and relevant laws on local self-government.

Poland actively launched administrative reform in relation to the functioning of the institute of local self-government after the fall of the communist regime, which resulted in a decentralized system of governance. Territorial self-government bodies can directly cooperate with the central government and, accordingly, influence it in the interests of society. In parallel with the implementation of the Decentralization Reform in 1997, the Constitutional Reform of local self-government also took place.

The reform of Hungary's local self-government system lasted from 1990 to 2011, and despite significant success, it still cannot be called complete. The main principle of this reform is that local governments should solve exclusively local issues and provide services of local significance, while other issues should be resolved only under the supervision of the central government. This does not quite correspond to the principle of decentralization of government bodies.

In Ukraine, drastic changes in the system of local self-government began in 2014 with the change of government and the adoption by the Cabinet of Ministers of Ukraine of the Concept of reforming local self-government. The process of decentralization of power in Ukraine is multidimensional and covers the reorganization of the administrative-territorial structure of the state, changes in the system of public authorities, the distribution of functions and powers between them. On this path, it is important to rely not only on our own experience and traditions, but also to analyze decentralization reforms and regulations on the activities of local self-government bodies in neighboring countries and adapt to our realities what is already effective and mentally close to us.

Keywords: decentralization, administrative and territorial reform, institute of local self-government, territorial communities.

## **Procesy decentralizacji w Polsce i na Węgrzech jako punkt odniesienia dla Ukrainy**

Decentralizacja umożliwia rozszerzenie samorządu terytorialnego, aktywizację ludności do zaspokajania własnych potrzeb i interesów oraz zawężenie sfery wpływów państwa na

społeczeństwo. Każdy kraj ma swoją historię kształtowania się zasad budowy i rozwoju poszczególnych organów samorządowych, ich współdziałania z władzami centralnymi, zapisuje ich w konstytucjach i odpowiednich ustawach o samorządzie terytorialnym.

Polska aktywnie rozpoczęła reformę administracyjną funkcjonowania instytutu samorządu terytorialnego od upadku reżimu komunistycznego, skutkiem czego powstał decentralizowany system rządów. Organy samorządu terytorialnego mogą bezpośrednio współpracować z władzami centralnymi i odpowiednio na nie wpływać w interesie wspólnoty terytorialnej. Równoległe z reformą decentralizacyjną w 1997 r. miała miejsce reforma konstytucyjna samorządu terytorialnego.

Reforma samorządu terytorialnego na Węgrzech trwała od 1990 do 2011 roku i mimo znacznych postępów nadal nie można jej nazwać kompletną. Główną zasadą tej reformy jest to, że samorządy powinny zajmować się tylko sprawami lokalnymi i świadczyć usługi o znaczeniu lokalnym, pozostałe sprawy powinny być rozstrzygane wyłącznie pod nadzorem władz centralnych. Nie jest to w pełni zgodne z zasadą decentralizacji organów władzy.

Na Ukrainie radykalne zmiany w systemie samorządu terytorialnego rozpoczęto w 2014 r. wraz ze zmianą rządu i przyjęciem przez Gabinet Ministrów Ukrainy Koncepcji reformy samorządu terytorialnego. Proces decentralizacji władzy na Ukrainie jest wieloaspektowy i obejmuje reorganizację administracyjno-terytorialnej struktury państwa, zmiany w systemie organów władzy publicznej, podział funkcji i kompetencji między nimi. W ten sposób ważne jest, aby opierać się nie tylko na własnym doświadczeniu i tradycjach, ale także analizować reformy decentralizacyjne i regulacje prawne dotyczące samorządu terytorialnego w krajach ościennych oraz dostosować do naszych realiów to, co już skutecznie działa i jest dla nas mentalnie bliskie.

*Słowa kluczowe: decentralizacja, reforma administracyjno-terytorialna, instytut samorządu terytorialnego, wspólnoty terytorialne.*

## **Процеси децентралізації в Польщі та Угорщині як орієнтир для України**

Децентралізація дає змогу розширити місцеве самоврядування, активізувати населення для забезпечення власних потреб та інтересів, звужити сферу впливу держави на суспільство. Кожна країна має свою власну історію становлення принципів побудови та розвитку конкретних самоврядних органів, їх взаємодію із органами центральної влади, закріплює їх у конституціях і відповідних законах про місцеве самоврядування.

Польща щодо функціонування інституту місцевого самоврядування активнорозпочала адміністративну реформу після падіння комуністичного режиму, результатом чого є децентралізована система управління. Органи територіального самоврядування можуть

напряму співпрацювати з центральною владою і відповідно впливати на неї в інтересах громади. Паралельно з проведенням реформи децентралізації в 1997 році відбулось й Конституційне реформування місцевого самоврядування.

Реформування система місцевого самоврядування Угорщини тривало з 1990 р по 2011 р. та попри значні успіхи, його й досі не можна назвати завершеним. Головним принципом цієї реформи є те, що органи місцевого управління повинні вирішувати виключно місцеві питання та надавати послуги місцевого значення, інші питання повинні вирішуватись тільки під наглядом центрального уряду. Це не зовсім відповідає принципу децентралізації органів влади.

В Україні кардинальні зміни системи місцевого самоврядування розпочались у 2014 році зі зміною уряду та прийняттям Кабінетом Міністрів України Концепції реформування місцевого самоврядування. Процес децентралізації влади в Україні є багатоаспектним та охоплює реорганізацію адміністративно-територіального устрою держави, зміни в системі органів публічної влади, розподіл функцій та повноважень між ними. На цьому шляху важливо спиратись не лише на власний досвід та традиції, а аналізувати реформи децентралізації та нормативні акти щодо діяльності органів місцевого самоврядування у країнах – сусідах та адаптувати до наших реалій те, що уже ефективно діє і ментально є близьким для нас.

***Ключові слова:** децентралізація, адміністративно-територіальна реформа, інститут місцевого самоврядування, територіальні громади.*

Decentralization is one of the forms of development of democracy, which allows, while maintaining the unity of the state and its institutions, to expand local self-government, activate the population to meet their own needs and interests, and narrow the sphere of influence of the state on society. Decentralization makes it possible, by replacing this influence on the part of state institutions with self-regulation mechanisms developed by society itself, to reduce the costs of the state and taxpayers for the maintenance of the state apparatus.

Freedom and powers of local self-government are one of the key criteria that allows us to draw conclusions about the level of a democratic country. The threat of usurpation of power in the state is unlikely precisely under the condition of effective self-government of the population.

As we know, each country has its own history of establishing the principles of building local self-government, developing specific self-governing bodies, and interacting with central authorities. These features and traditions are enshrined in the constitutions of countries and relevant laws on local self-government. The optimal model of the relationship between the powers of the state and local authorities can be obtained by combining the traditions and requirements of the time. However, we are convinced that for more effective reforms, we should take into account world experience. First of all – the experience of neighbors.

Today, Ukraine is on the verge of amendments to the Constitution. These changes relate to the issue of decentralization – an aspect of governance related specifically to the powers of the central government and local self-government. The process of decentralization of power in Ukraine is multidimensional and covers the reorganization of the administrative-territorial structure of the state, changes in the system of public authorities, the distribution of functions and powers between them. That is why it is important to analyze the decentralization reforms and regulations that regulate the activities of local self-government bodies in neighboring countries, compare these processes with those that are taking place in Ukraine, and adopt and implement in practice what is already effective and mentally close to us.

In our opinion, it would be most appropriate to study, compare and analyze the Decentralization Reform and the relevant sections of the Constitution and laws in such Central and Eastern European countries as Poland and Hungary. We have chosen these states for several reasons:

first, these are neighboring states, parts of the territory of which at one time were part of Austria-Hungary;

secondly, all these countries had a common experience of the communist past, which reflected the socialist essence of the functioning of the institution of local self-government;

third, both Poland and Hungary have undergone decentralization processes, the results of which can serve as a certain guide for transformations in Ukraine, in particular in the aspect of local self-government.

Decentralization as a complex process contributes to the formation and development of effective and democratic forms of local government. The Preamble of the European Charter of local self-government states that «...local self-government bodies are one of the main foundations of any democratic regime»<sup>1</sup>.

In recent decades, European countries have implemented large-scale reforms to modernize the structure of Public Administration. New approaches to the organization of the management system have emerged, which have updated the processes of self-organization and self-government of social systems.

While implementing the decentralization of authority, European states faced the problem of reforming the administrative-territorial structure. Many countries that implemented community decentralization were characterized by the lack of sufficient territorial and material resources for local authorities to provide an appropriate level of public services. Therefore, numerous reforms began with the consolidation of administrative-territorial units.

The formation and functioning of the Institute of local self-government in Poland has a rather long history. The administrative reform carried out in 1970 led to significant changes in the structure of local authorities - 300 counties were eliminated, the number of voivodeships increased from 17 to 49, instead of the former communities, the number of which before the

<sup>1</sup> European Charter of Local Self-Government of 15 October 1985, Strasbourg, Database «Legislation Of Ukraine, URL: [https://zakon.rada.gov.ua/laws/show/994\\_036#Text](https://zakon.rada.gov.ua/laws/show/994_036#Text) [accessed 3.06. 2021]

Reform reached 4313, 2394 significantly larger units were created, including 247 cities, 26 urban districts, 1546 rural gminas and 575 mixed entities<sup>2</sup>. The result of this reform was not only the strengthening of the influence of the central government on territorial units and the organizational dispersion of management.

After the fall of the communist regime in Poland, a new administrative reform was carried out, which became one of the priorities of the post-communist government established in September 1989. This reform in the public administration system took place in two stages: the 1st - political, associated with the formation of institutional conditions for the democratization of this sphere, the 2nd - administrative, aimed at restructuring its structural elements<sup>3</sup>. First, there was a return to local self-government in the classical sense of this institution, or in other words, the revival of gmin self-government by the law of March 8, 1990 "On territorial self-government" (which since 1999 will be called "On self-government in gmin"). This reform introduced elected governments only at the municipal level (gminas), while the highest levels of territorial structure remained under the control of the state local administration.

The next stage was the reform of the administrative-territorial structure, which provided for: three-level division and the creation of self-government bodies at the county and Voivodeship levels. Full decentralization was achieved through the formation of county government structures<sup>4</sup>.

As a result of the county reform that took place from 1993 to 1998, 373 county units were formed in Poland, including 308 counties and 65 cities with county status. In 1998-1999, the Voivodeship reform was carried out, according to which the country's territory was divided into 16 voivodeships<sup>5</sup>. The purpose of the administrative-territorial reform was to adapt the territorial structure of Poland to pan-European standards on the eve of joining the EU, decentralize power and transfer a significant part of local authority to local governments.

Thus, a decentralized governance system was formed in Poland. As a result, three levels of administrative and territorial structure of the state are represented by territorial self-government bodies: gminas and counties – by local self-government bodies, voivodeships – by regional self-government bodies, instead of a two-stage (gmina-Voivodeship). As a result of the reform that led to the consolidation of territorial units, since January 1, 1999, Poland has established a three-stage structure of territorial self-government: I level – gmin self-government; II level – county self-government; III level – Voivodeship self-government. As of today,

<sup>2</sup> System administracji publicznej w Polsce, [w:] Materiały Ministerstwa Administracji i Cyfryzacji «System administracji publicznej w Polsce», Warszawa, lipiec 2014 r, URL: <https://docplayer.pl/8606970-System-administracji-publicznej-w-polsce.html> [accessed 5.06.2021]

<sup>3</sup> T. Alonchuk, Administratyvna reforma Polshchi. Napriamy zmin i rezultaty, yak pozytyvnyi pryklad dlia Ukrainy, URL: [https://ela.kpi.ua/bitstream/123456789/3298/1/20\\_aponchuk\\_tm\\_administrative\\_reform\\_%20poland.pdf](https://ela.kpi.ua/bitstream/123456789/3298/1/20_aponchuk_tm_administrative_reform_%20poland.pdf) [accessed 7.06.2021]

<sup>4</sup> L. Prokopenko, I. Shumliaieva, Reformuvannya terytorialnoi orhanizatsii vlady v Polshchi: dosvid dlia Ukrainy, URL: [http://www.dbuapa.dp.ua/zbirnik/2012-02\(8\)/12pllpu.pdf](http://www.dbuapa.dp.ua/zbirnik/2012-02(8)/12pllpu.pdf) [accessed 5.06.2021]

<sup>5</sup> Ibid.

Poland is divided into 16 voivodeships, 308 rural and 65 urban counties (cities on the rights of counties) and 2,489 gminas<sup>6</sup>.

Territorial self-government in Poland does not have a hierarchical structure, the gmina, County and Voivodeship are independent of each other and together are subject to supervision exclusively by the state, within the framework defined by law and perform tasks of a different nature, according to the competence defined by law.

In parallel with the implementation of the Decentralization Reform in 1997, the constitutional reform of Local Self-Government in Poland also took place. The norms concerning territorial structure and local self-government were contained in two sections of the Constitution. First of all, Articles 15 and 16 establish the decentralization of Public Power, which is provided by the territorial structure of the Republic of Poland<sup>7</sup>. Thus, Article 15 of the Constitution states that territorial self-government performs public tasks, except for those assigned by the Constitution or the relevant law to another public authority. But the main unit of local self-government is the gmina, that is, the grassroots link of the management structure<sup>8</sup>.

The VI chapter of the Constitution of the Republic of Moldova is devoted to the functioning of local self-government bodies, which contains articles 163 (defining the tasks of local self-government bodies), 164 (gmina as the main unit of local self-government), 165 (local self-government bodies as legal entities), 166 (division of competence between state bodies and local self-government bodies), 167 (profits of local self-government bodies), 168 (the right of local self-government units to establish local taxes and fees), 169 (executive institutions of local self-government bodies), 170 (local referendums), 171 (the procedure for government supervision of activities local self-government bodies), 172 (the right of local self-government units to association and international cooperation).<sup>9</sup>

Section VII "Territorial self-government" defines the vectors of self-governing powers. But their borders are fixed by the law «On self-government in gminas»<sup>9</sup> 1990 (with amendments and additions that are periodically made as needed). Thus, the specified law defines the following powers of local self-government bodies: adoption of the Charter of a municipal unit; determination of the amount of remuneration of the chairman of the municipality, directions of its activities and forms of reporting to the community; adoption of the local budget, use of inter-budget transfers; formation of local infrastructure, its further planning; formation of

<sup>6</sup> Orhanizatsiia administratyvno-terytorialnoho ustroiu ta mistsevoho samovriaduvannia Respubliki Polshcha, URL: <https://uplan.org.ua/analytics/orhanizatsiia-administratyvno-terytorialnoho-ustroiu-ta-mistsevoho-samovriaduvannia-respubliki-polshcha/> [accessed 5.06.2021]

<sup>7</sup> Konstitucziya Respubliki Pol' sha ot 2 aprelya 1997 goda, URL: <http://www.sejm.gov.pl/prawo/konst/rosyjski/kon1.htm> [accessed 5.06.2021]

<sup>7</sup> Ibid.

<sup>8</sup> Konstytutsiia Respubliki Polshcha ukrainskoiu movoiu (stanom na 01. 2028 r. z peredmovoiu V.Shapovala), URL: <http://pol-translit.com/news/pol-konst.html> [accessed 5.06.2021]

<sup>9</sup> Ustawa «Osamorządziegminnym» z dnia 8 marca 1990 r., URL: [https://www.google.com.ua/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&cad=rja&uact=8&ved=0CCMQFjABahUKEwiV8tyd\\_PTIhUz3IKHcuGBIA&url=http%3A%2F%2Fisap.sejm.gov.pl](https://www.google.com.ua/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&cad=rja&uact=8&ved=0CCMQFjABahUKEwiV8tyd_PTIhUz3IKHcuGBIA&url=http%3A%2F%2Fisap.sejm.gov.pl) [accessed 5.06.2021]

economic programs; disposal of municipal property; decision-making on taxes and fees at the local level; decision-making on cooperation with other self-governing territorial units; adoption of resolutions on local symbols, street names, etc.; granting honorary citizenship, honorary scholarships and other forms of encouragement<sup>10</sup>.

Further changes in the reform of local self-government concerned mainly the improvement of the existing system - its economic and administrative components. Since 1998, a new management model has been optimized, which provided for the real participation of citizens in the exercise of power and the effectiveness of decisions made. And the period of 2000-2003 was marked by bringing the organization of public authorities in line with EU standards. A new stage of qualitative changes and improvement of existing traditions began in May 2004, when Poland became a full member of the European Community.

Thus, the main emphasis in the reform of local self-government in Poland is placed on the material independence of gminas. The law «On self-government in gminas» states that the profits of self-governing territories are their own profits, general subventions and targeted subsidies from the state budget<sup>11</sup>. And Article 168 of the Constitution gives local self-government bodies the right to set local taxes. The law on territorial self-government also emphasizes the possibilities of making a profit, using it, planning and multiplying it.

It is important for local self-government bodies in Poland to be able to cooperate directly with the central government and, accordingly, influence it in the interests of society, which is also provided for and enshrined in the Constitution and laws. In addition, the gmina administration, which forms and implements public policy on its own behalf and without a government administration, is part of the state regional policy. The state is an intermediary link between EU grant projects and local budgets.

As for Hungary, to reform the system of local self-government of this state, it was necessary to go through a rather long and difficult period in several stages, which lasted from 1990 to 2011. However, despite significant success, it still cannot be called completed. Thus, from 1990 to 1993, the law «On local self-government» was adopted, which laid the political and legal basis for the implementation of the process of democratization and reform of the political system, as well as the law «On local elections» was adopted. The new system of local self-government was based on the traditional principles of Hungary and the European Charter of local self-government. During 1994-1995, amendments were made to the law «On local self-government» and as a result, direct mayoral elections were introduced in all localities, the range of forms of community participation in local government expanded, the scope of powers of districts increased, their official status was determined, and so on. In the period from 1996 to 1997, the laws

<sup>10</sup> Ibid.

<sup>11</sup> Ustawa «Osamorządziegminnym» z dnia 8 marca 1990 r., URL: [https://www.google.com.ua/url?sa=t&crct=j&q=&esrc=s&source=web&ccd=2&cad=rja&uact=8&ved=0CCMQFjABahUKEwiV8tyd\\_PTIAhUIZ3IKHcuGBIA&url=http%3A%2F%2Fisap.sejm.gov.pl%2FDownload%3Fid%3DWDU19900160095%26type%3D3&usq=AFQjCNEVfFn3qyrIj7HWb7ZR5keM6ug4FQ&sig2=v-1cOPUwsCsall9IsOqZVw](https://www.google.com.ua/url?sa=t&crct=j&q=&esrc=s&source=web&ccd=2&cad=rja&uact=8&ved=0CCMQFjABahUKEwiV8tyd_PTIAhUIZ3IKHcuGBIA&url=http%3A%2F%2Fisap.sejm.gov.pl%2FDownload%3Fid%3DWDU19900160095%26type%3D3&usq=AFQjCNEVfFn3qyrIj7HWb7ZR5keM6ug4FQ&sig2=v-1cOPUwsCsall9IsOqZVw) [accessed 5.06.2021]

“on regional development” and “on regional planning and development” were adopted, which expanded and clarified the political and legal field of activity of local authorities. In the period from 1998 to 2003, preparations were made for further reforms that would contribute to the self-sufficiency of the regions. The implementation program of the IDEA regional reform group has been launched. From 2004 to 2005, Hungary introduced a system of microregions, which was based on funding from EU grants. In 2010, an Additional Protocol to the European Charter of local self-government on the right of community residents to participate in the activities of local authorities was ratified. It was only in 2011 that a new Constitution was adopted, which came into force on January 1, 2012, and a new law “on local self-government” was adopted. These documents completed the process of constituting the system of local self-government in the state, but did not become the final stage of the self-governing reform itself<sup>12</sup>

Although the Hungarian Constitution became an almost revolutionary legislative act, as it contained all the positive achievements of the political and economic sphere of the state, nevertheless, it rather selectively took into account the requirements of the European community and the European Charter of local self-government itself, as the Venice Commission pointed out when checking the regulatory documents of Hungary. There were also comments on the small amount of norms that should regulate local self-government in the new text of the Constitution<sup>13</sup>. In particular, Article 31 of the new Constitution provides that “in Hungary, local self-government is established to manage public affairs and exercise public power at the local level.” However, there is no mention of the principle of local self-government. The Venice Commission, which is an advisory body of the Council of Europe on Constitutional Law, recalls that the ECMS, which is mandatory for Hungary, requires compliance with a minimum number of principles that form the European basis of local democracy, including, as a starting point, the principle of local self-government<sup>14</sup>.

The Constitution, first of all, fixed the course of stabilizing local self-government, removing the system from debt, reducing its fragmentation and strengthening control by state authorities. In addition, it is planned to take measures to reduce the number of cases of participation of third parties in the implementation of subcontracts of national significance. Thus it is planned to increase the stability of budget revenues and reduce non mandatory expenditures<sup>15</sup>.

According to the law, the territory of Hungary is divided into regions, which are divided into medje (regions), and they, in turn, are divided into districts or *kisartershegs*. So, the country is divided into seven regions, which include 20 administrative divisions (19 medje and the

<sup>12</sup> O. Danylian, *Dosvid udoskonalennia orhaniv derzhavnoi vldy v yevropeiskykh krainakh (na prykladni Uhorschchyni)*, URL: [https://dSPACE.nlu.edu.ua/bitstream/123456789/3115/1/Danylian\\_23.pdf](https://dSPACE.nlu.edu.ua/bitstream/123456789/3115/1/Danylian_23.pdf) [accessed 5.06.2021]

<sup>13</sup> *Osnovnoj Zakon Vegrii (25 aprelya 2011g)*, URL: [https://nemzetikonyvtar.kormany.hu/download/3/00/50000/orosznyomda\\_jav%C3%ADtrott.pdf](https://nemzetikonyvtar.kormany.hu/download/3/00/50000/orosznyomda_jav%C3%ADtrott.pdf) [accessed 5.06.2021]

<sup>14</sup> O. Lemak, *KonstytutsiivzabezpechennipolitychnoibezpekyvUhorschchyni*, URL: <https://dSPACE.uzhnu.edu.ua/jspui/bitstream/lib/23089/1/%D0%A1%D1%82%D0%B0%D1%82%D1%82%D1%82%D1%8F%203%20%D0%9A%D0%BE%D0%BD%D1%81%D1%82%D0%B8%D1%82%D1%83%D1%86%D1%96%D1%8F%20%D0%B2.pdf> [accessed 4.06.2021]

<sup>15</sup> A. Chyrkyn, *Analiz systemy mistsevoho samovriaduvannia Uhorschchyni v svitli polozhen Yevropeiskoi Khartii mistsevoho samovriaduvannia*, URL: [https://dSPACE.nlu.edu.ua/bitstream/123456789/12028/1/Chirkin\\_350-355.pdf](https://dSPACE.nlu.edu.ua/bitstream/123456789/12028/1/Chirkin_350-355.pdf) [accessed 4.06.2021]



city of Budapest), and medje – a total of 173 districts, one of which is the capital. Local self – government bodies are represented by mayors and municipal assemblies, which are formed through elections with a term of office of five years (until 2014–four years). There are also 23 cities with medje rights.

The explanatory note to the CLXXXIX Cardinal Law “on local self-government” contains a reference to the Charter (drawing a parallel with the traditions of local self-government in Hungary), but the law does not mention the principle of local self-government<sup>16</sup>.

Summing up, we can note that the main principle of the reform of local self-government (in addition to saving funds) was that local government bodies should solve exclusively local issues and provide services of local significance, and all other issues should be resolved only under the supervision of the central government, which does not quite correspond to the principle of decentralization of government bodies. An even greater reduction in delegated powers occurred in January 2013, when they were transferred to 198 “district departments” subordinate to the district divisions of the central government. As a result of the reform, municipalities lost most of their staff and a significant amount of financial resources.

A special feature of Hungary is the formation of the complexity of the system, since the diversity of interests of the subjects of associations that are supposed to solve the problems of localities is reflected in a large number of associations of local and district authorities. At the same time the government still does not seek to consult with local authorities<sup>17</sup>. In addition, there are more than 3 thousand municipal fragments in Hungary, that is, large municipalities have smaller municipalities in their composition. Maintaining the principle laid down back in 1990, according to which each local community can have its own local self-government bodies, Article 85 of the CLXXXIX law “on local self-government” established that to create local bodies in a municipality, a minimum of 2,000 residents must live<sup>18</sup>. Municipalities below this number of inhabitants have formed local governments in a “district” or “microregion” since 2013. Each municipality will have its own mayor and municipal council, but administrative structures and powers will have to be transferred to the joint administration<sup>19</sup>.

By implementing the Decentralization Reform, Hungary not only reduced the scope of powers and financial resources, but also reduced financial subsidies and shares of some taxes used to finance municipalities.

The law “on local self-government”, in Section VI “economic foundations of Local Self-Government”, emphasizes the need to control local budgets. By law, municipalities can set land taxes, municipal taxes, and local corporate taxes. They can also receive income from real

<sup>16</sup> A. Chyrkin, *Analiz systemy mistsevoho samovriaduvannia Uhorschynny v svitli polozhen Yeuropeiskoi Khartii mistsevoho samovriaduvannia* [w:] “Forum prava”, №1, 2015, s. 351.

<sup>17</sup> Ibid.

<sup>18</sup> A. Chyrkin, *Mistseve samovriaduvannia Uhorschynny pislia konstytutsiinykh zmin 2011 r*, URL: [https://dspacc.nlu.edu.ua/bitstream/123456789/12030/1/Chirkin\\_144-155.pdf](https://dspacc.nlu.edu.ua/bitstream/123456789/12030/1/Chirkin_144-155.pdf) [accessed 4.06.2021]

<sup>19</sup> Ibid.

estate transactions and utility bills. They are entitled to state subsidies, which are determined annually by the parliament. Counties are not allowed to collect local taxes<sup>20</sup>.

Given the above, we can state that the reform of local self-government in Hungary was somewhat more radical than in Poland, but less focused on decentralization. Moreover, a number of experts describe the reform steps in Hungary as recentralization, primarily due to the budget policy, which deprived the regions of income independence and more significant control by the central government.

When implementing the Decentralization Reform, Ukraine has repeatedly turned to the experience of European countries, in particular to the Polish experience of reforming local self-government. As in Poland and Hungary, in Ukraine, the reform of decentralization of power and administrative-territorial structure took place for quite a long time, with its own peculiarities and problems.

Decentralization, as a process of transferring powers from state bodies to local self-government bodies and a necessary element of Public Administration reform, has become a priority for Ukraine since the signing of the European Charter of local self-government. It was this event that became a kind of starting point for declaring commitment to European standards of governance and development. Drastic changes in the local government system began in 2014 with the change of government and reformatting of state authorities.

The defining priority of administrative reform, the formation of Ukraine as a democratic, legal state at the present stage of state creation is the implementation of the processes of decentralization of power, covering such areas as the administrative-territorial structure, the territorial basis of the organization of power, changes in the powers of state authorities and local self-government bodies, budget and tax systems, land relations, humanitarian and social spheres, etc. Without the implementation of decentralization processes, it is impossible to overcome negative processes in the socio-economic and cultural development of territorial communities and regions, to ensure a significant increase in the level and quality of life of most Ukrainian citizens<sup>21</sup>.

The reform of decentralization and territorial organization of power in Ukraine, the main task was to create a modern, effective and capable system of local self-government based on European values for the development of local democracy, endowing territorial communities with powers and resources that will ensure local economic development, providing the population with high-quality and affordable public services, and therefore ensuring decent living conditions and well-being of the residents of these communities. Although the reform was introduced in 2014, the start of implementation took place in 2015. This reform turned out to be the most effective and effective of the announced strategic reforms.

<sup>20</sup> A. Chyrkin, *Analiz systemy mistsevoho samovriaduvannia Uborschchyny v svitli polozhen Yevropeiskoi Khartii mistsevoho samovriaduvannia* [w:] "Forum prava", №1, 2015, s. 353.

<sup>21</sup> *Suchasnyi stan, problemy ta perspektyvy detsentralizatsii vlady v Ukraini. Detsentralizatsiia vlady v Ukraini: otsiniuvannia rezul'tativ formuvannia ta rozvytku samodostatnikh hromad: monohrafiia*, red. S. Serohina, I. Chykyrenko, Dnipro, 2019, s. 8.

Modern researchers, at present, distinguish two stages of the reform of decentralization and territorial organization of power in Ukraine: the first - covers 2014 – 2019, during which the necessary regulatory legal acts were developed, the direct transformation of the local self – government system began; the second stage, which falls on 2020-2021, and provides for the formation of basic and sub-regional levels of local self-government<sup>22</sup>. The key point of the reform and the consequence of large-scale and effective work was the holding of local elections on October 25, 2020, after which the entire territory of Ukraine was divided into United territorial communities and districts were reformatted and enlarged, namely 490 previous districts were liquidated and 136 new districts were created.

On April 1, 2014, the Cabinet of Ministers of Ukraine adopted the concept of reforming local self-government and territorial organization of power<sup>23</sup>. The document indicates the problems that should be solved as a result of the implementation of the reform. The main ones are: low quality and availability of public services provided at the local level; difficult demographic situation; inability of local authorities to exercise the powers granted to them by law; high subsidization of budgets of territorial communities; underdevelopment of forms of direct democracy; lack of qualified personnel; high centralization of management and financial and material resources.

The concept sets out a strategic plan for the decentralization of power, which is a kind of algorithm for implementing the reform. The document sets out the key principles on the basis of which the decentralization of power should be carried out, specifies the purpose and stages of its implementation. It was also planned to implement the concept in two stages: the first - preparatory stage (2014) – adoption of the necessary legislative and information base; the second – implementation stage (2015-2017) – solving tasks in practice, institutional reorganization of government bodies, consolidation of new norms and standards<sup>24</sup>. The principles and objectives of the concept are relevant at the present stage for Ukraine. In addition, they meet the requirements of the European Charter of local self-government. However, the implementation of the concept, as of 2021, is not completed and requires both additional legislative developments and practical steps.

Analyzing the Decentralization Reform, it is worth noting that the first stage was the creation of the Institute of the United territorial community (AH). A prerequisite for the start of voluntary association of communities was the law “on cooperation of territorial communities»<sup>25</sup>, which provided an opportunity for territorial communities to strengthen their own ability through cooperation and defined the organizational and legal basis for cooperation of

<sup>22</sup> Navishcho detsentralizatsiia, URL:<https://decentralization.gov.ua/about>[accessed 4.06.2021]

<sup>23</sup> Pro skhvalennia Kontseptsii reformuvannia mistsevoho samovriaduvannia ta terytorialnoi orhanizatsii vlady v Ukraini, “Rozporiadzhennia Kabinetu Ministriv Ukrainy vid 1 kvitnia 2014 r. № 333-r”, URL: <https://zakon.rada.gov.ua/laws/show/333-2014-%D1%80#Text>[accessed 6.06.2021].

<sup>24</sup> Ibid.

<sup>25</sup> Zakon Ukrainy «Spivrobotnytstvoterytorialnykh hromad» “Zakonodavstvo Ukrainy. Verkhovna Rada Ukrainy. Dokument 1508-VII VR, Pryiniaty 17.00.2014r.”, URL: <https://zakon.rada.gov.ua/laws/show/1508-18#Text>[accessed 6.06.2021]

territorial communities, the principles, forms and mechanisms of such cooperation, its financing and control.

We can observe that the law provides for stimulating versatile cooperation of territorial communities, which will help them implement projects of socio-economic and cultural development of territories. Such cooperation will also contribute to improving the quality of services provided to the population, increasing financial viability, and efficient use of resources of territorial communities.

It is important that the state provides for stimulating, financing and monitoring cooperation<sup>26</sup>. After all, thanks to the additional support of the state, the implementation of various forms of cooperation in practice is more effective and efficient.

With the adoption of the relevant law, communities were able to cooperate and interact to implement joint projects and solve common problems. The cooperation mechanism is an effective and often necessary tool in local policy. Such cooperation can take various forms: implementation of joint projects, joint maintenance of enterprises or institutions, delegation of powers and resources to another community, and so on. As of the beginning of September 2020, 620 inter-municipal cooperation agreements were concluded. This mechanism was used by 1,380 territorial communities.

In order for AHS to function effectively, it was necessary to approve long-term plans for the formation of community territories, since the long-term plan approves the overall validity of the territorial structure at the basic level and its socio-economic effectiveness<sup>27</sup>.

It is worth paying attention to the fact that when uniting communities, the opinion of citizens is taken into account, the resource capabilities of the community, its ability to develop economically and socially, and the ability to provide high-quality services to residents are determined, which is confirmed by the law «on voluntary association of territorial communities»<sup>28</sup>, which is the basis, a kind of algorithm of actions for those territorial communities that seek to unite. This law also regulates relations arising in the process of voluntary association of communities and voluntary joining of United territorial communities.

But when the territorial communities were united in Poland, there was no such voluntary nature as in Ukraine, and everything was decided by the central authorities.

Analyzing the dynamics of amalgamated hromada`s (AH) formation until 2020, we observe its uneven nature. In the period 2016-2017, the number of formed AHS was 299, which is the highest result since the beginning of the decentralization of power in Ukraine, but in the

<sup>26</sup> Ibid.

<sup>27</sup> Monitorynh protsesu detsentralizatsii vlady ta reformuvannia mistsevoho samovriaduvannia stanom na 10 veresnia 2020 r., URL: [https://decentralization.gov.ua/uploads/library/file/593/%D0%9C%D0%BE%D0%BD%D1%82%D0%BE%D1%80%D0%B8%D0%BD%D0%B3\\_\\_10.09.2020.pdf](https://decentralization.gov.ua/uploads/library/file/593/%D0%9C%D0%BE%D0%BD%D1%82%D0%BE%D1%80%D0%B8%D0%BD%D0%B3__10.09.2020.pdf) [accessed 4.06.2021]

<sup>28</sup> Pro dobroviline obiednannia terytorialnykh hromad, Zakon Ukrainy vid 4 veresnia 2015 r. "Zakonodavstvo Ukrainy. Verkhovna Rada Ukrainy", URL: <https://zakon.rada.gov.ua/laws/show/676-19#n11> [accessed 4.06.2021]

next period (2017-2018), the number of AHS was halved. At the beginning of 2019, there were 223 new United territorial communities<sup>29</sup>.

The variable nature of the formation of United communities was determined by both internal and external factors, namely: public opinion and insufficient awareness of community residents about the features of decentralization of power, the level of support for decentralization by local authorities, the resource availability of the future ah, compliance with the conditions of voluntary association or joining, incentives and support for the activities of AHS by the state, gaps in legislation. These factors and several others have identified conflicting trends in the process of forming AHS during the entire reform period.

Due to the additional responsibilities and powers that AHS have received, they need, respectively, additional funding for the high-quality performance of their functions and the provision of services. For this purpose, changes were made to the tax and Budget codes, which gave local authorities more financial opportunities and independence. The share of local budgets' own revenues (general fund) in GDP is growing annually. Own revenues of the general fund of local budgets from 2014-2020 also show a positive increase. In addition to additional tax revenues, financial support from the state in the form of subsidies and subventions also increased (however, this applied to those AHS that were merged before the local elections in the fall of 2020). State support for the economic and social development of territories in 2020 amounted to 101.9 billion rubles. UAH. The main areas for the development of which funds are allocated are: energy efficiency, Regional Development, Rural Development, development in the field of health, education and culture, development of Road, social and transport infrastructure, development of sports infrastructure, environmental safety and sustainable development. The largest share of funds goes to the development of road infrastructure (61.1 billion rubles). UAH) and regional development (UAH 13.0 billion). UAH.)<sup>30</sup>.

Since ensuring the financial independence of territorial communities is a priority task, on July 15, 2020, the Verkhovna Rada of Ukraine adopted a resolution "on the adoption as a basis of the draft law of Ukraine on amendments to the Budget code of Ukraine regarding bringing into line the provisions of budget legislation in connection with the completion of administrative-territorial reform", which provides for the distribution of revenues and expenditures between the budgets of districts and AHS. As a result, district budgets will not receive a basic subsidy and will not be in direct inter-budgetary relations with the state budget<sup>31</sup>.

<sup>29</sup> Monitorynh protsesu detsentralizatsii vlyady ta reformuvannya mistsevoho samovriaduvannya stanom na 10 sichnia 2020r., URL: <https://decentralization.gov.ua/uploads/library/file/526/10.01.2020.pdf>[accessed 4.06.2021]

<sup>30</sup> Monitorynh protsesu detsentralizatsii vlyady ta reformuvannya mistsevoho samovriaduvannya stanom na 10 veresnia 2020 r., URL: [https://decentralization.gov.ua/uploads/library/file/593/%D0%9C%D0%BE%D0%BD%D1%82%D0%BE%D1%80%D0%B8%D0%BD%D0%B3\\_10.09.2020.pdf](https://decentralization.gov.ua/uploads/library/file/593/%D0%9C%D0%BE%D0%BD%D1%82%D0%BE%D1%80%D0%B8%D0%BD%D0%B3_10.09.2020.pdf)[accessed 6.06.2021]

<sup>31</sup> Postanova Verkhovnoi Rady Ukrainy «Propryniatti azosnovoprojektu Zakonu Ukrainy pro vnesennia zmindu Biudzhetnoh kodeksu Ukrainys hechodopryvedennia u vidpovidnist polozhen biudzhetnoho zakonodavstva u ziazku i zavershennia administratyvno-terytorialnoireformy», "Zakonodavstvo Ukrainy. Verkhovna Rada Ukrainy, Dokument № 794-IX vid 15 lypnia 2020 r.", URL: <https://zakon.rada.gov.ua/laws/show/794-20#Text>[accessed 6.06.2021]

Despite the fact that districts remain a link between the state and local self-government, most of the management functions are concentrated in the field. This is definitely a more democratic practice.

An important point of the Decentralization Reform in Ukraine was the reduction in the number of districts. This process began with the adoption of the law on July 17, 2020. Resolutions of the Verkhovna Rada of Ukraine “on the formation and liquidation of districts”. The total number of districts was 490, and as a result, they were reduced to 136<sup>32</sup>. This resolution laid the foundations for radically new changes at the subregional (district) level of the administrative-territorial structure of Ukraine. This process was accelerated, again, by the local elections on October 25, 2020. Since the functions of AHS duplicate most of the functions of district authorities, there was a need to adopt a number of legislative acts on the division of powers and resources between regions and districts, as well as between districts and communities.

On November 17, 2020, the Verkhovna Rada of Ukraine adopted draft Law No. 3651-D “on amendments to certain legislative acts of Ukraine concerning the regulation of certain issues of organization and activity of local self-government bodies and district state administrations”, which regulates the issues of succession of property, rights and obligations of communities, as well as issues of formation and reorganization of district state administrations<sup>33</sup>.

The draft law sets out the conditions for state registration of legal entities and individuals during the formation and reorganization of local self-government bodies. The procedure for determining the administrative center of the corresponding administrative-territorial units is indicated, as well as a significant number of tasks that need to be solved in modern conditions are given<sup>34</sup>. After all, the liquidation, formation and reorganization of districts is another step towards the successful implementation of the decentralization of power reform. In addition, reducing the number of district councils and district state administrations will significantly reduce expenditures from the state and local budgets.

The institution of the headman was also actively introduced in the process of decentralization of power. They perform their functions as representatives of rural and settlement territorial communities in the local council of OT. Until July 2020, the headman was elected by residents of the village or settlement for the term of office of the local council of AHS, and from July 2020, after amendments were made to the law of Ukraine “on local self-government in Ukraine»<sup>35</sup>, the headman is approved by the village, settlement, or City Council for the term of his / her powers at the suggestion of the relevant village, settlement, or City chairman. This

<sup>32</sup> Postanova Verkhovnoi Rady Ukrainy «Pro utvorennia ta likvidatsiiu raioniv», “Zakonodavstvo Ukrainy. Verkhovna Rada Ukrainy, Dokument № 807-IX vid 17 lypnia 2020 r.”, URL: <https://zakon.rada.gov.ua/laws/show/807-20#Text> [accessed 6.06.2021]

<sup>33</sup> Zakonoproekt «Pro vnesennia zmin do deiakykh zakonodavchykh aktiv Ukrainy shchodo vporiadkuvannia okremykh pytan orhanizatsii ta diialnosti orhaniv mistsevoho samovriaduvannia ta raionnykh derzhavnykh administratsii», “Zakonodavstvo Ukrainy. Verkhovna Rada Ukrainy, Dokument № 3651-d”, URL: <https://www.rada.gov.ua/news/Novyny/199716.html> [accessed 6.06.2021]

<sup>34</sup> Ibid.

<sup>35</sup> Zakon Ukrainy «Pro mistseve samovriaduvannia v Ukraini», “Zakonodavstvo Ukrainy. Verkhovna Rada Ukrainy, Dokument 805-IX VR, Pryinyatyi 16.07.2020”, URL: <https://zakon.rada.gov.ua/laws/show/805-20#n2480> [accessed 4.06.2021]

change can lead to the centralization of power in AHS, so the institution of the headman in this form can be compared with the institution of state administrations, only they come from different forms of subjects.

The headman is an *ex officio* member of the executive committee of the village, settlement, and city councils and works in it on a permanent basis.

Actually, it is believed that the basis of the model of decentralization in Ukraine was the Polish model, however, in the Polish system of local self-government, the headman is the head of the county. The county, as noted above, is the Middle (second) level of local government, which also performs the tasks of the government administration. The legislative power of the county is the council, which is elected in elections, and the executive power is the board of the county, headed by the headman (Soltis), elected through members of the county council. The competencies and functions of Soltis (headman) are spelled out in the charter<sup>36</sup>.

Thus, today the system of local self-government in Ukraine will consist of three levels: regional (regions), sub-regional (districts), basic (communities). Despite the fact that districts remain an intermediate link between the state and local self-government, most of the management functions are focused on the local level. And this practice is certainly more democratic.

However, despite the success of the Decentralization Reform of power, in practical terms, we can observe gaps and incompleteness of this process. The key constraint on the transition to the next stage of development of the local self-government system and improving the quality of work of local authorities are problems in legislative support for decentralization, and in particular, the need to introduce and adopt appropriate amendments to the Constitution of Ukraine on several points that relate specifically to the organization of local self-government and the administrative-territorial structure of the country. In the long run, the introduction of the prefect's institution is also mandatory, since the transfer of a significant amount of political, administrative and financial functions to the local authorities requires effective supervision of the legality and constitutionality of decisions taken on the ground. If we draw an analog with Poland and Hungary, they also have a designated official who controls the activities of local self-government bodies. However, in Poland, the functions of the prefect are performed by the "Voivode", who is an official, a representative of the Council of ministers in the voivodeships of Poland, the head of the government administration bodies of double subordination and local government administration bodies, who has certain powers that do not fall within the competence of other bodies<sup>37</sup>. As for Hungary, for each region, the president of the Republic appoints a commissioner who coordinates and controls the actions of local self-government bodies, monitors their legality.

<sup>36</sup> V. Mykhalska, Status starosty: yevropeiskiyi dosvid [w:] "Radnyk starosty" № 3 veresen 2020, URL: <https://i.factor.ua/ukr/journals/rs/2020/sepember/issue-3/article-110498.html> [accessed 4.06.2021]

<sup>37</sup> O. Lialuk, I. Petrenko, Zarubizhnyi dosvid zaprovadzhennia prefekta ta yoho znachennia dlia Ukrainy, URL: <http://oaji.net/articles/2020/3229-1585425182.pdf> [accessed 4.06.2021]

It should be noted that the introduction of the prefect's Institute will become possible only after the adoption of amendments to the Basic Law and the liquidation of local state administrations.

Another important task is the adoption of amendments to the law "on local self-government in Ukraine", which should clearly prescribe the powers of local self-government bodies; define the functions of district and regional councils; fix the mechanisms of state supervision over the state of affairs on the ground, and others.

The issues of regulating the internal division of cities, clearly defining the rights of members of territorial communities; training professional personnel to work at the local level; providing effective ways to influence citizens' decision-making by local authorities; adopting laws on the principles of the administrative-territorial structure of Ukraine, on the local referendum, on service in local self-government bodies and others remain problematic.

Both Poland and Hungary on the way to implementing the reform of decentralization and administrative-territorial structure had their own characteristics, both positive and negative manifestations. Ukraine, which in the process of implementing the Decentralization Reform, despite its own vision and historical experience, should not ignore the results of similar processes and the best practices of these countries, but after analyzing them and taking into account the specifics of each, try to implement the most effective ones in political practice. The main feature of the models of Hungary and Poland is that to begin the transition to the decentralization of power, administrative and territorial reforms were carried out in the countries. This significantly accelerated the process of reorganizing local government systems and their success. In addition, significant work has been done for the development of the regions.

In Poland, changes to the Constitution took place simultaneously with the implementation of administrative-territorial reform, but in Hungary, First there were changes in the administrative-territorial structure, and at the end changes were introduced to the Constitution. In Ukraine, the administrative and territorial reform took place already in the process of decentralization and after the creation of a fairly large number of AHS. In our opinion, the path of reforming Poland is more suitable for Ukraine, so to amend the Constitution in the process of Decentralization Reform, which has not yet been completed.

At the present stage, Ukraine is steadily directing its efforts to implement the European integration course, fulfil international legal obligations, in particular on the development of local and regional democracy. That is why further democratization of society and simultaneous decentralization of power on the basis of subsidiarity were and remain priorities of Ukraine.

To date, the main principles of the decentralization of power reform in Ukraine have been laid, including: a draft of constitutional amendments has been developed and a number of normative legal acts have been adopted that are designed to create a legal basis for the activities of local self-government bodies. The Decentralization Reform initiated six years ago has led to significant changes in the tasks and functions of local self-government bodies, especially in



those that were formed as a result of the unification of territorial communities. The speed of change requires the existence of a flexible system for improving the level of professional competence of local government officials and deputies of local councils, and vice versa, the success of changes will depend on the speed of training and advanced training of employees, their ability to fulfill new powers.

Thanks to the creation of a new system of distribution of power between Central and local authorities in Ukraine today a new system of relations between different branches of government and a new balance of checks and balances are actually being formed<sup>38</sup>. An important condition for the stable development of local self-government and the effective functioning of the state is to ensure a balance of state interests with the interests of the population of the United territorial communities. Democratization and building a full-fledged civil society in Ukraine are impossible without decentralizing state power, through the implementation of real powers of local self-government.

So, now in Ukraine there is a process of decentralization of power, which consists in implementing changes in the territorial organization of power by transferring it to local self-government. Decentralization is the basis for implementing effective local development, building a society based on democratization and real democracy. The process of implementing the decentralization of power reform is complex, which requires versatile approaches to the development and implementation of legislative changes in Ukraine. The decentralization of power in Ukraine creates conditions for improving the socio-economic life of the population by implementing administrative and territorial reform, transferring centralized power concentrated in the hands of the state to the hands of local self-government. At that time, local self-government involves the population, which is the basis of United territorial communities, in its activities. Therefore, only effective interaction between the local population to ensure the decentralization of power can lead to the desired social and economic development.

Decentralization Reform has great potential to stimulate the development of Regions and, through this development, the country as a whole. At the same time, it contains certain challenges related both to the course of its implementation and to its impact on various spheres of socio-political and socio-economic life<sup>39</sup>.

## References:

1. A.Chyrkin, *Analiz systemy mistsevoho samovriaduvannia Uhorshchyny v svitli polozhen Yevropeiskoi Khartii mistsevoho samovriaduvannia* [w:] "Forum prava", №1, 2015, s 350-355.
2. A.Chyrkin, *Mistseve samovriaduvannia Uhorshchyny pislia konstytuitsiinykh zmin 2011 r.* URL: [https://dspace.nlu.edu.ua/bitstream/123456789/12030/1/Chirkin\\_144-155.pdf](https://dspace.nlu.edu.ua/bitstream/123456789/12030/1/Chirkin_144-155.pdf) [accessed 4.06.2021]

<sup>38</sup> *Detsentralizatsiia vlady: poriadok demyi na serednostrokovu perspektyvu. Analitychna dopovid, Natsionahnyi instytut stratehichnykh doslidzhenred,* red. Ya.Zhalilo, O. Shevchenko, V. Romanova ta in., Kyiv, 2019, s.3.

<sup>39</sup> *Detsentralizatsiia vlady: poriadok demyi na serednostrokovu perspektyvu. Analitychna dopovid, Natsionahnyi instytut stratehichnykh doslidzhenred,* red. Ya.Zhalilo, O. Shevchenko, V. Romanova ta in., Kyiv, 2019, s.3.

3. A.Chyrkyn, Analiz systemy mistsevoho samovriaduvannia Uhorschhyny v svitli polozhen Yevropeiskoi Khartii mistsevoho samovriaduvannia, URL: [https://dspace.nlu.edu.ua/bitstream/123456789/12028/1/Chirkin\\_350-355.pdf](https://dspace.nlu.edu.ua/bitstream/123456789/12028/1/Chirkin_350-355.pdf)[accessed 4.06.2021]
4. *Detsentralizatsiia vlady: poriadok demyinaserednostrokovoperspektyvu. Analychna dopovid, Natsionalnyi instytut stratehichnykh doslidzhenred*, red. Ya.Zhalilo, O. Shevchenko, V. Romanova ta in., Kyiv, 2019, 115s.
5. European Charter of Local Self-Government of 15 October 1985, Strasbourg, Database «Legislation Of Ukraine, URL: [https://zakon.rada.gov.ua/laws/show/994\\_036#Text](https://zakon.rada.gov.ua/laws/show/994_036#Text) [accessed 3.06.2021]
6. Konstytuciya Respubliki Pol'sha ot 2 aprelya 1997 goda URL: <http://www.sejm.gov.pl/prawo/konst/rosyjski/kon1.htm>[accessed 5.06.2021]
7. Konstytutsiia Respubliki Polshcha ukrainskoiu movoiu (stanom na 01. 2028 r. z peredmovoiu V.Shapovala),URL:<http://pol-translit.com/news/pol-konst.html> [accessed 5.06.2021]
8. L. Prokopenko, I. Shumliaieva, Reformuvannia terytorialnoi orhanizatsii vlady v Polshchi: dosvid dlia Ukrainy URL:[http://www.dbuapa.dp.ua/zbirnik/2012-02\(8\)/12pllpdu.pdf](http://www.dbuapa.dp.ua/zbirnik/2012-02(8)/12pllpdu.pdf) [accessed 5.06.2021]
9. Monitorynh protsesu detsentralizatsii vlady ta reformuvannia mistsevoho samovriaduvannia stanom na 10 veresnia 2020 r.,URL: [https://decentralization.gov.ua/uploads/library/file/593/%D0%9C%D0%BE%D0%BD%D1%82%D0%BE%D1%80%D0%B8%D0%BD%D0%B3\\_\\_10.09.2020.pdf](https://decentralization.gov.ua/uploads/library/file/593/%D0%9C%D0%BE%D0%BD%D1%82%D0%BE%D1%80%D0%B8%D0%BD%D0%B3__10.09.2020.pdf)[accessed 6.06.2021]
10. Monitorynh protsesu detsentralizatsii vlady ta reformuvannia mistsevoho samovriaduvannia stanom na 10 sichnia 2020r., URL: <https://decentralization.gov.ua/uploads/library/file/526/10.01.2020.pdf>[accessed 4.06.2021]
11. Navishcho detsentralizatsiia, URL:<https://decentralization.gov.ua/about> [accessed 4.06.2021]
12. O. Danylian, Dosvid udoskonalennia orhaniv derzhavnoivlady vyevropeiskykh krainakh (napryklad i Uhorschhyny), URL: [https://dspace.nlu.edu.ua/bitstream/123456789/3115/1/Daniljan\\_23.pdf](https://dspace.nlu.edu.ua/bitstream/123456789/3115/1/Daniljan_23.pdf) [accessed 5.06.2021]
13. O. Lemak, Konstytutsiia v zabezpechennipolitychnoibezpeky v Uhorschhyni, URL:<https://dspace.uzhnu.edu.ua/jspui/bitstream/lib/23089/1/%D0%A1%D1%82%D0%B0%D1%82%D1%82%D1%8F%203%20%D0%9A%D0%BE%D0%BD%D1%81%D1%82%D0%B8%D1%82%D1%83%D1%86%D1%96%D1%8F%20%D0%B2.pdf> [accessed 4.06.2021]
14. Orhanizatsiia administratyvno-terytorialnoho ustroi i ta mistsevoho samovriaduvannia Respubliki Polshcha, URL:<https://uplan.org.ua/analytics/orhanizatsiia-administratyvno-terytorialnoho-ustroi-i-ta-mistsevoho-samovriaduvannia-respubliki-polshcha/> [accessed 5.06.2021]
15. Osnovnoj Zakon Vegrii (25 aprelya 2011g), URL: [https://nemzetikonyvtar.kormany.hu/download/3/00/50000/orosznyomda\\_jav%C3%ADtott.pdf](https://nemzetikonyvtar.kormany.hu/download/3/00/50000/orosznyomda_jav%C3%ADtott.pdf)[accessed 5.06.2021]
16. Postanova Verkhovnoi Rady Ukrainy «Propryiniattia z osnovu proektu Zakonu Ukrainy provne senniazmindo Biudzhetnohokodeksu Ukrainy shchodopryvedennia u vidpovidnist polozhenbi

- udzhetnohozakonodavstvauzviazkuizzavershenniamadministratyvno-terytorialnoireformy», “Zakonodavstvo Ukrainy. Verkhovna Rada Ukrainy, Dokument № 794-IX vid 15 lypnia 2020 r.”, URL: <https://zakon.rada.gov.ua/laws/show/794-20#Text> [accessed 6.06.2021]
17. Postanova Verkhovnoi Rady Ukrainy «Pro utvorennia ta likvidatsiiu raioniv», “Zakonodavstvo Ukrainy. Verkhovna Rada Ukrainy, Dokument № 807-IX vid 17 lypnia 2020r.”, URL: <https://zakon.rada.gov.ua/laws/show/807-20#Text> [accessed 6.06.2021]
  18. Pro dobrovilne obiednannia terytorialnykh hromad, Zakon Ukrainy vid 4 veresnia 2015 r. “Zakonodavstvo Ukrainy. Verkhovna Rada Ukrainy”, URL: <https://zakon.rada.gov.ua/laws/show/676-19#n11> (accessed 4.06.2021)
  19. Pro skhvalennia Kontseptsii reformuvannia mistsevoho samovriaduvannia ta terytorialnoi orhanizatsii vlady v Ukraini, “Rozporiadzhennia Kabinetu Ministriv Ukrainy vid 1 kvitnia 2014 r. № 333-r”, URL: <https://zakon.rada.gov.ua/laws/show/333-2014-%D1%80#Text> [accessed 6.06.2021].
  20. *Suchasnyi stan, problemy ta perspektyvy detsentralizatsii vlady v Ukraini. Detsentralizatsiia vlady v Ukraini: otsiniuvannia rezultativ formuvannia ta rozvytku samodostatnykh hromad: monografii*, red. S. Serohina, I. Chykarenko, Dnipro, 2019, s. 8.
  21. System administracji publicznej w Polsce, [w:] *Materiały Ministerstwa Administracji i Cyfryzacji «System administracji publicznej w Polsce»*, Warszawa, lipiec 2014 r, URL: <https://docplayer.pl/8606970-System-administracji-publicznej-w-polsce.html> [accessed 5.06.2021]
  22. T. Alonchuk, Administratyvna reforma Polshchi. Napriamy zmin i rezultaty, yak pozytyvnyi pryklad dlia Ukrainy, URL: [https://ela.kpi.ua/bitstream/123456789/3298/1/20\\_aponchuk\\_tm\\_administrative\\_reform\\_%20poland.pdf](https://ela.kpi.ua/bitstream/123456789/3298/1/20_aponchuk_tm_administrative_reform_%20poland.pdf) [accessed 7.06.2021]
  23. Ustawa «Osamorządziegminnym» z dnia 8 marca 1990 r., URL: [https://www.google.com.ua/url?sa=t&rc=1&q=&esrc=s&source=web&cd=2&cad=rja&uact=8&ved=0CCMQFjABahUKEwiV8tyd\\_PTIAhUIZ3IKHcuGBIA&url=http%3A%2F%2Fisap.sejm.gov.pl%2FDownload%3Fid%3DWDU19900160095%26type%3D3&usq=AFQjCNEVffn3qyrIj7HWb7ZR5keM6ug4FQ&sig2=v1cOPUwsCsalli9IsOqZVw](https://www.google.com.ua/url?sa=t&rc=1&q=&esrc=s&source=web&cd=2&cad=rja&uact=8&ved=0CCMQFjABahUKEwiV8tyd_PTIAhUIZ3IKHcuGBIA&url=http%3A%2F%2Fisap.sejm.gov.pl%2FDownload%3Fid%3DWDU19900160095%26type%3D3&usq=AFQjCNEVffn3qyrIj7HWb7ZR5keM6ug4FQ&sig2=v1cOPUwsCsalli9IsOqZVw) [accessed 5.06.2021]
  24. V. Mykhalska, Status starosty: yevropeyskyi dosvid [w:] “Radnyk starosty” № 3 veresen 2020, URL: <https://i.factor.ua/ukr/journals/rs/2020/september/issue-3/article-110498.html> [accessed 4.06.2021]
  25. O.Lialiuk, I. Petrenko, Zarubizhnyi dosvid zaprovadzhennia prefekta ta yoho znachennia dlia Ukrainy, URL: <http://oaji.net/articles/2020/3229-1585425182.pdf> [accessed 4.06.2021]
  26. Zakon Ukrainy «Pro mistseve samovriaduvannia v Ukraini», “Zakonodavstvo Ukrainy. Verkhovna Rada Ukrainy, Dokument 805-IX VR, Pryiniaty 16.07.2020”, URL: <https://zakon.rada.gov.ua/laws/show/805-20#n2480> [accessed 4.06.2021]
  27. Zakon Ukrainy «Spivrobitnytstvoterytorialnykh hromad» “Zakonodavstvo Ukrainy. Verkhovna Rada Ukrainy. Dokument 1508-VII VR, Pryiniaty 17.00.2014r.”, URL: <https://zakon.rada.gov.ua/laws/show/1508-18#Text> [accessed 6.06.2021]

28. Законпроект «Pro vnesennia zmin do deiakykh zakonodavchykh aktiv Ukrainy shchodo vporiadkuvannia okremykh pytan orhanizatsii ta diialnosti orhaniv mistsevoho samovriaduvannia ta raionnykh derzhavnykh administratsii», “Zakonodavstvo Ukrainy. Verkhovna Rada Ukrainy. Dokument №3651-d”, URL: <https://www.rada.gov.ua/news/Novyny/199716.html> [accessed 6.06.2021]