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**ACTIVATING BODIES OF LOCAL SELF-GOVERNMENT IN MANAGEMENT
OF RENEWABLE NATURAL RESOURCES OF AGRICULTURE**

**ZNACZENIE JEDNOSTEK SAMORZĄDU TERYTORIALNEGO W PROCESIE
ZARZĄDZANIA GOSPODARKĄ ODNAWIALNYCH ZASOBÓW NATURALNYCH W
SEKTORZE ROLNICTWA**

**АКТИВАЦИЯ ОРГАНОВ МЕСТНОГО САМОУПРАВЛЕНИЯ В УПРАВЛЕНИИ
ВОЗОБНОВЛЯЕМЫХ ПРИРОДНЫХ РЕСУРСОВ СЕЛЬСКОГО ХОЗЯЙСТВА**

Abstract

The paper is dedicated to peculiarities of activating local self-government bodies in management of the processes of use of agricultural natural resources. Urgent problems concerning share of powers between the state and the region are substantiated. It was determined that bodies of local self-government have much less powers in management and control of the use of natural resources including agricultural renewable resources and in the sphere of environmental regulation than local administrations. Perspective tasks are described, which have to be solved by local self-government bodies in the process of managing use of renewable natural resources.

Keywords: *bodies of local self-government, renewable natural resources, agriculture, process of managing, the state and the regions.*

Streszczenie

W artykule przedstawiono problematykę roli samorządów w kwestii rewitalizacji i zarządzania zasobami naturalnymi w sektorze rolnictwa. Opisano kwestie dotyczące podziału kompetencji między państwem a regionem. Autor wykazał, że samorzady mają znacznie mniejsze uprawnienia do zarządzania i kontrolowania wykorzystania zasobów naturalnych, w tym odnawialnych, rolnych i regulacji środowiska niż centralna administracja państwowa. Wskazano na wyzwania, jakim należy sprostać w celu rozwiązania tych problemów administracyjnych w zarządzaniu odnawialnymi zasobami naturalnymi.

Słowa kluczowe: *lokalne zasoby naturalne samoodnawiające, rolnictwo, zarządzanie państwem i regionem.*

Аннотация

В статье рассмотрены особенности активизации органов местного самоуправ-

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ления в управлении процессом использования природных ресурсов сельского хозяйства. Обоснованы проблемные вопросы распределения полномочий между государством и регионом. Выявлено, что органы местного самоуправления имеют гораздо меньше полномочий по управлению и контролю за использованием природных ресурсов, в том числе и сельскохозяйственных возобновляемых, а также в сфере регулирования окружающей среды, чем местные органы государственной власти. Определены перспективные задачи по их решению органами местного самоуправления в процессе управления использованием возобновляемых природных ресурсов.

Ключевые слова: органы местного самоуправления, возобновляемые природные ресурсы, сельское хозяйство, процесс управления, государство и регион.

Introduction. The importance of the role of local-self-government bodies is growing under working out of bench mark development concept of certain theoretical and bottom-line approach to provision of sustainable use of renewable natural resources in the course of agricultural activity. The increase of this role is caused by the need in regulating mutual relations of the human and the nature at the lowest level in the system of regional development, where the bodies of local-self-government are endowed with the role of intermediary in making for harmonization of relations between the environment and the life of the human. Building up of effective cooperation at the whole hierarchic ladder of governmental structures, starting from the bodies of special, general state management and ending with the bodies of local self-government is very important here.

Results of study. The distribution of authorities between the state and the region is regulated by the Constitution or by the law on the base of the principle of political decentralization and subsidiarity (an organizational and legal principle, which is used in cases where measures undertaken by the community are more effective than the similar measures at national, regional or local levels as a whole).

Region is responsible for any activity of regional character and performing as signed powers. At this any decisions of the state, concerning the region can not be made without the consent of the region, this primarily concerns measures influencing the financial state of the region. Regions and local communities while executing their powers and using the principle of subsidiarity have to co-work on the base of mutual trust. In addition, the region has to have financial autonomy and own resources sufficient

for execution of the powers, keeping to certain principles of managing own resources [B. Sukhovirskyj 2000, s. 38]: economy, efficiency, optimal spending of costs and care about the citizen. The Constitution or the law defines basic principles of budgeting, share in profits and costs, but region is empowered to make decisions concerning local taxes, payments and duties. Region, which is representing the will of its citizen, is the optimal form of organization, which allows solving local problems because of having more reliable information on urgent problems and opportunities of solving them at the local level itself. However, because of lack of powers, assigned to the bodies of local self-government, their recommendations on dealing with vital problems and working out perspectives of development, including those in the sphere of use of renewable natural resources in agriculture, have indicative features.

Local self-government is the foundation of the democracy system. According to the Assembly of European Regions (AER), uniting more than 300 regions from all over the Europe (it acts as a political form of organization of the European regions and representative of their interests at European and global levels), the powers of regions include: [B. Sukhovirskyj 2000, s. 40] regional economic policy; exploitation of territory, construction policy, including residential; infrastructure telecommunication and transport; energy and environment; education of all levels and research; agriculture and fishery; culture and mass media; healthcare; tourism; leisure and sport; public security.

One of the basic objectives of AER is promoting regionalization in Europe and supporting principles of subsidiarity and complementary among local, regional and national levels, in-

cluding supranational (European) level.

According to the Article 3 of the European Charter of Local Self-Government [The European Charter of Local Self-Government 1985], Local self-government denotes the right and the ability of local authorities, within the limits of the law, to regulate and manage a substantial share of public affairs under their own responsibility and in the interests of the local population. The Law "On local self-government in Ukraine" regulates local self-government in Ukraine [On Local Self-Government in Ukraine 1997]. The guaranteed right and realiability or territorial community is clearly defined in it, particularly for rural communities or voluntary unions or people from several villages, settlements or towns into a one community, to manage affairs of local importance with the Constitution and the Laws of Ukraine either themselves or under responsibility of bodies and officials of the local-self-government bodies (Article 2).

The analysis of basic provisions of regulation of Ukraine [On Local Self-Government in Ukraine 1997; On Local State Administrations 1999; Constitution of Ukraine 1996] concerning powers of regional bodies in management and control of the use of natural resources shows, that bodies of local self-government have much less powers in management and control of the use of natural resources, including renewable agricultural resources, than local governments. Note that developing and supporting operation of local ecologic automatized informative and analytical systems conducting ecological monitoring and informational support of the state of natural resources and environment as an essential element of the managerial mechanism, could be powerful mechanism, as in is mentioned in the Law. However, the draft document issued by the Cabinet of Ministers of Ukraine "On Approval of the national automated information system of access to environmental information and local environmental automated information systems" is still at the stage of approval by the central executive bodies.

Considering the euro integration processes and border location of oblasts of Carpathian region, the study of European experience in developing systems of territorial management, including local self-government will be appropriate. One of the first the Council of European Municipalities and Regions (CEMR) was

founded in 1951, that provided for representation of subnational territorial communities at the pan-European level. This organization was reorganized in 1991 into a regional department The International Union of Local Authorities (IULA) active from 1913. Today the Congress of Local and Regional Authorities of Europe founded in 1994 is dealing with promoting participation of local and regional authorities in European integration and the European Council, supporting democracy structure sat the local level and increasing cross-border and interregional cooperation. The recognition of difference between the two "layers" of territorial powers – local and regional authorities has become an essential for the activity of the Congress. Therefore, the Congress consists of two chambers [V. Marmazov 2000, s. 62]: the chamber of local authorities and the chamber of regions.

The priorities in development of the operation of the Congress of Local And Regional Authorities of Europe, providing for strengthening subnational level of government, areas follows [R. Kalytchak 2007, c. 103]: building up of effective local and regional self-government in different sectors of human's economic activity; analysis of the state of local democracy and development of the mechanism for participation of citizens in primary forms of self-government at places; involvement of local and regional bodies in reaching the idea of European unity; promoting participation of local and regional councils in working-out development programs of priority types of economic activity at certain territories; supporting interregional cooperation, especially in bordering regions, sustaining peace, mutual understanding and economic growth.

The mentioned provisions are directed at development of effective managerial mechanism, that will allow revealing potential of territorial development, promoting its sustainable use under manufacturing activity, as well as protection, preservation, saving natural resources, including renewable resources of agriculture, which is especially urgent for rural localities. At this, the function of control and responsibility for the results of activities of self-government bodies form side of the members of community is important.

According to experts from Charities Aid Foundation (CAF) [M. Lendyel 2001, s. 17], in transitive societies the local communities and

bodies of self-government are those in charge of providing balanced development of territories, which have turned into a marginalized or depressive state under transition to market economy. The mentioned model will promote formation of complex approach to effective use of human, natural, material and financial resources at the local level. At this, bottom-up approach has to be dominant, which will help to solve local (point) problems, connected with the life activity of people, particularly the use of natural resources in different types of economic activity, including agriculture, where food security of the country and regions is formed.

The involvement of all layers of territorial community is important at dealing with problems of territorial development, intellectuals, entrepreneurs, NGO's, representatives of ethnic groups and confessions, youth, bodies of local self-government, through the system of state-private partnership. In this aspect, territorial community is able to involve and utilize the internal potential of locality with the aim to implement rights for self-government within current regulation. Bodies of local self-government act for uniting and directing efforts of all members of territorial communities, business structures and other groups, on the base of keeping the principles of equality of rights and transparency, for increasing the activism of all members of this process with the aim to provide balanced development of sectors of economic activity both at regional and local levels.

Now the debates have activated on defining power and authorities of local self-government bodies. The possibility to use existing experience of foreign countries as to the basic models of local self-government (Anglo-Saxon, continental (French) and mixed) has to be studied for the purpose of developing effective system of local management.

The Anglo-Saxon (or Anglo-American) model differs with deeper autonomy of local bodies and no formal subordination to the center, the French - with developed system of administrative control of central authorities over local bodies, and mixes one - with combination of previous models. The absence of empowered representatives of Central government, "caring" about elected bodies is the most important feature of Anglo-Saxon system (founded in Great Britain). It has a two-level system of local gov-

ernment [A. Gryn]2000, s. 45]: the state is divided into counties, and counties into districts. Counties have all the most important functions, which could be given to local elected bodies according to regulation, while districts (except for metropolitan ones) have secondary functions only.

This model of local self-government is also used in the USA, where a high level of decentralization of the state's functions in social and economic sectors is peculiar. Federative system empowers the states with certain economic autonomy and broad powers, while local bodies legally are dependent from them.

According to the French model of local self-government, department and communes have the status of local bodies, where administrative and territorial structures are local units and bodies of state administration at the same time. The powers of department as a local body represented by the general council are limited to creation and organization of community services and directing them; undertaking functions of advisory body of department, economic planning and regional programming. Municipal council is the highest body of commune, acting both as part of self-government and central executive power.

The European mixed system (European mixed elite model) of local self-government is characterized by specific features [A. Gryn] 2000, s. 45], at which community and state types of administration are combined, that is autonomous local self-government at the lower territorial level and state administration at the upper. At this, the state does not interfere into the sphere of local self-government and vice versa.

According to the Constitution of Ukraine (1996), our country has European mixed model of local self-government, but with weakened powers of local self-government bodies and autonomy principle. However taking into account, that Ukraine is just on her way to strengthening market relations, the need arises in strong regulation of the processes of territorial development from the side of the state. The mentioned model is appropriate only for developed countries with market economy and effective democratic society. Therefore, we suppose that this choice of model of local administration was completely justified for Ukraine under transitional conditions, and moderate transition to

the mixed model, and to the Anglo-Saxon model of local administration in perspective, will promote expansion of local initiatives as an important mechanism of local self-government. At this, local initiatives are submitted for consideration of the local council, in compliance with the regulation and with further publicizing of the decision made. The order of submission of local initiative for consideration of the council is set by representative body of local self-government or by the statute of territorial community with keeping requirements of the Law of Ukraine "On Principles of Regulatory Policy in Economic activities" [On Principles of Regulatory Policy in Economic activities 2003]. The subject of local initiative can be any issues within the jurisdiction of local self-governments.

The need to take steps of local initiative may occur in case of certain "confrontation" between the council and part of the local community. At this requests of the initiators may be ungrounded, corresponding to interests of certain narrow groups etc., or really fair and important for the whole community. For this case, the rules for implementation of the right of local initiatives are compulsory [A. Tkachuk, V. Kampo, V. Proshko, Y. Ganushchak, M. Gumentyk 2001, s. 18]. Such need may arise in case of negative anthropogenic influence on the agricultural and sat the territory of local community, which is the base for sustenance of local inhabitants.

With the aim of more effective operation of their power and defending right and interests of territorial communities, according to the Law of Ukraine "On local self-government in Ukraine", the bodies of local self-government are allowed to form associations and their voluntary unions. Such unions will intensify efficiency of bodies of local self-government, as members of such unions will be interested in solving urgent problems of territorial development. The mentioned bodies may initiate monitoring of environment, where the local community members are living, for its preservation and reproduction; control of the use of natural resources, including resources used in agriculture, which are priority resources for the development of the locality.

Bodies of local self-government, district and regional administrations represent common interests of territorial communities of villages and towns (cities). Executive bodies of village, city

councils, in particular in the sphere of regulating land relations and environmental protection, are executing their own (self-governing) and delegated functions.

Activating the activity of the bodies of local self-government in managing natural resources, including provision of sustainable use of renewable natural resources in agriculture is caused by the following tasks:

1) generalization and structuration of problems, connected with use of natural resources at the local level, their substantiation in program so social and economic, ecologic regional development;

2) conducting systemic analysis of given potential of local raw materials, used by the economic subjects at the regional level, aimed at revealing resource's provision and possibilities of its use in the process of manufacturing activity;

3) monitoring of planning and implementation of program parameters with involvement of the public, that will help to increase the level or participation of community members in the process implementation of the tasks of local self-government at all levels of government, in all spheres and kinds of economic activity of territorial development;

4) providing access for officers of governing bodies to informational resources in the sphere of local self-government, including to the experience foreign countries, supporting the increase of qualifications and requalification of personnel;

5) developing the mechanism for motivating all members of territorial community, business structures and other groups, aiming to involve them into the process of managing the use of renewable natural resources, as they are forming the base of rural development in the whole and development of rural territories in particular;

6) ecologic monitoring and control of the state of environment, aimed at levelling negative (of ten anthropogenic) influence on agro systems, territories of rural localities;

7) keeping the safety standards of agricultural production and foods manufacturing according to the EU requirements;

8) interacting of bodies of local self-government with bodies of local government of neighboring states with aim to learn the experience of management in the sphere of sustainable

use of natural resources in agriculture.

Conclusions. For activating the activity of the bodies of local self-government, territorial reforming of the model of regional administration shall be done through redistribution of powers between local state administrations and bodies of local self-government with decentralization of state power. At this, basic authorities in management and control of sustainable use of natural resources in agriculture should be given to the bodies of local self-government, as they are ultimate representatives and expressers of local interests in villages, where the basic share of population is involved in agriculture.

Local state administrations have to be right sized to representations of regional level and their authorities should be limited to representative and controlling functions with aim to meet constitutional rights, current legislation, and execution of measures of state policy. Regional budgeting and taxation also need revising with the aim to provide regional budget formation from own incomes, that will give more financial

independence to the bodies of local self-government and opportunities to form and implement territorial programs of sustainable social, economic and ecological development of rural territories, including target programs for effective operation of basic kinds of economic activity, including agriculture, forestry and recreational facilities that are a priority for the development of the Carpathian region, to meet the balanced and rational use of natural, human and financial resources, their saving and reproduction.

Therefore, increasing activism of bodies of local self-government in provision of sustainable use of renewable natural resources in agriculture grounds on triad model of state-private partnership "authority-business-community" in the sphere of implementation of ecologic quality standards of agricultural production, coordination of managerial functions in the process of nature use in agriculture, balanced development of economic spheres of activity both at regional and local levels.

Bibliography:

1. Sukhovirskij B. I. Regional strategy of economic development of Ukraine (theoretic and applied bases of geo economy): [monograph] /B. I. Sukhovirskij– K. : KNEU, 2000. – 154 s.
2. The European Charter of LocalSelf-Government [Digital source] : international document from October, 151985. – Availableat: http://unipd-centrodirittiumani.it/public/docs/self_government_coe.pdf.
3. On Local Self-Governmentin Ukraine: Law of Ukraine form 21.05.1997 No 280/97-BP// Vidomosti Verkhovnoi Rady Ukrainy (VVR). – 1997. – № 24. – p.170.
4. On Local State Administrations: Law of Ukraine from 09.04.1999 № 586-XIV// Vidomosti Verkhovnoi RadyUkrainy (VVR). – 1999. –No 20-21. – p.190.
5. MarmazovV. Ye. The Council of Europe: political and legal mechanism of integration /V. Ye. Marmazov, I. S. Pilyaev; editedby Y. S. Shemchushenko. – K.: VD "Yurydychna knyga", 2000. – 469 p.
6. Kalytchak R. G. Regionalism in European processes of integration / R.G.Kalytchak – K.: Znannya, 2007. – 303 p.
7. Local and regional development in Ukraine: the experience of Transcarpathia / K., Center of the East-West Institute; edited by M. Lendyel. – K. : Millenium, 2001. – 152 p.
8. Grynj A. The experience of local self-government of developed countries and its influence on reforms in Ukraine / A. Grynj // State administration and local self-government in Ukraine: ways of reforming: materials of intern.scientific and practical conf. (17-20 September 2000). – Uzhhorod, 2000. – 252 p.
9. Constitution of Ukraine: Law of Ukraine from 28.06.1996 No 254к/96-BP// Vidomosti Verkhovnoi Rady Ukrainy (VVR). – 1996. - No 30.
10. On Principles of Regulatory Policy in Economic activities: Law of Ukraine from 11.09.2003 No 1160-IV/Vidomosti Rerkhovnoi Rady Ukrainy (VVR). – 2004. – № 9. – p. 79.
11. Local self-government in Ukraine. General meeting of citizens.Localinitiatives. Publichearings: collection of typical local legalacts / A. Tkachuk, V. Kampo, V. Proshko, Y. Ganushchak, M. Gumentyk –K.: [Institut hromadyanskogo suspilstva], 2001. – p. 18.