



PRACE NAUKOWE

Wyższej Szkoły Zarządzania i Przedsiębiorczości
z siedzibą w Wałbrzychu

T.48

**Kreatywność i innowacyjność
w zarządzaniu i pedagogice
w erze cyfrowej**

Zarządzanie operacyjne
*w teorii i praktyce organizacji
biznesowych, publicznych i pozarządowych*

praca zbiorowa pod redakcją
Lucjana Kowalczyka
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Wydawnictwo Wyższej Szkoły Zarządzania i Przedsiębiorczości
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Legislative dimension of decentralization processes on the development of agricultural sector in Ukraine

Key words: decentralization, agricultural sector, decentralization, sustainable development.

The agricultural sector is a special, specific branch of Ukrainian economy because its development is directly related to the process of social reproduction and the standard of living of people. Globalization processes intensification, focus on the European integration of Ukraine require commitment to the principles of sustainable development. Unlike many other spheres, the agricultural sector has a special status in the national economy, therefore, sustainability tendencies in its development will determine the general character of economic performance.

After a long process of ratifying the EU-Ukraine Association Agreement [1], Ukraine has been given a tool to develop and implement a coherent public policy aimed at social sustainable development and adequate response to internal and external challenges. However, despite substantial theoretical and methodological developments of scientists on the problems of the functioning and development of agricultural processes, the issue of improving the mechanism of state regulation of the agricultural sector of Ukraine's economy under the conditions of decentralization remains relevant.

The goal of decentralization policy is to move away from the centralized model of governance in the state, ensure the capacity of local governments and build an effective system of territorial power in Ukraine, fully implement the provisions of the European Charter of Local Self-Government [1]. In this case, sustainable development of the agricultural sector is formed and ensured by its determinants.

T. Gogol [2] notes that for establishing efficient and viable public management of sustainable development of the agricultural sector, it is necessary to ensure the implementation and coordination of the state agricultural policy with the main components of the reformation of the state system of managing the development of rural areas. After all, local budgets remain financially dependent on central administration. Local governments have limited powers in terms of forming local budgets. As an example, the draft state budget for 2019 envisages 1.9 billion UAH of subventions for community infrastructure development [3]. Considering the area of rural territories and rural population numbers, the amount of subventions for the development of the infrastructure of the united territorial communities should be not less than 4.5 billion UAH.

From the point of view of politics, in particular, decentralization of authority is to contribute to more efficient work of governing bodies, allowing local needs and conditions to be taken into account for the achievement of regional and national goals.

According to P. Liubchenko, the main task of the territorial organization of power is the achievement of an optimal combination of centralization and decentralization, efficient division of powers of governing bodies [4]. Thus, decentralization is a central government policy for the transfer to local governments of a number of competencies that were previously exercised by the state to ensure financial, legal and organizational conditions for their implementation.

According to O. Hutorov [5], the most significant consequence of strengthening local self-government is that the effectiveness of public administration as a whole is enhancing. When citizens trust their territorial authorities and are more actively involved in improving the situation in their communities, their attitude towards the state is also changing for the better. Thus, although the central government's powers may narrow because of decentralization, the legitimacy of the state as a whole is strengthened. Therefore, decentralization can be viewed as a way taking which all levels of government and rural communities will win at the same time.

It should be noted that in the agricultural sector there are urgent problems remaining unresolved in the context of decentralization, in particular:

- removal of local governments from decision-making in the area of land relations;
- funding target programs of agricultural development, including the agricultural sector, far inferior to need;
- failure to provide full-fledged public services to the rural population in the sphere of land relations;
- increase in social tension among the rural population due to the lack of ubiquity of local governments. That is, the uneven development of territorial communities in the context of the implementation of administrative and territorial reform will cause an increase in the migration from communities with a low resource potential and insufficient financial capacity to communities with an active civic position.

In addition, despite the sufficient number of regulatory legal acts that set measures to support the agricultural sector, the problem remains unresolved. In particular, the Concept of the State Target Program for Sustainable Development of Rural Territories for the period up to 2020, approved by the Resolution of the Cabinet of Ministers of Ukraine of February 3, 2010 No. 121-p. [6], has lost effect.

The current Law 'On Local Self-Government in Ukraine' only provides for forms of participation of the territorial community in managing local affairs, but such recognition is merely a statement of the community's capabilities and in no way regulates the technology of direct participation. Therefore, wide legislative regulation of such forms as public hearings, general meetings of citizens by place of residence, local initiatives must be one of the areas of improving the legal basis of local governments.

For example, the drafting of the Environmental Code of Ukraine, which provides for 'The main directions of the state policy of Ukraine in the field of environmental protection, use of natural resources and ensuring environmental safety', approved by the Verkhovna Rada of Ukraine on March 5, 1998, No. 188/98-BP, was not finished in time for the implementation of this document. Instead, there is only the Public Ecological Code in Ukraine. In addition, 'Draft structure of the Program for the development of the agricultural sector of economy for the period up to 2020' [7] was not adopted in 2014. In our opinion, these problems get more complicated due to issues of legal and institutional character, as well as lack of agreement between reforms in various spheres and the reform of the local government system and the administrative and territorial structure of the country. Therefore, under governance decentralization, consolidating efforts of local entities, citizens and potential investors, the development of land use should be considered through the prism of adapting land legislation to world standards, as the current system of land use in Ukraine, which is the result of structural deformations of economy, does not provide conditions for the formation of safe and rational land use [8, p. 54].

It is worth mentioning that decentralization is a characteristic feature of most welfare states which led to the formation of a new mixed type of inter-budget relations and combines the principles of both budget Unitarism and fiscal federalism. Decentralization is associated with the powers of decentralized departments to decide on local expenditures or those transferred from the central government. However, the tax base is often insufficient for local investments, so they are heavily dependent on state transfers [9]. As an example, Ukraine can become a member of the EU Life + program that will allow communities to receive funding for ecological projects at the local level [10]. This will allow territorial communities not only to receive funding for ecological projects at the local level, but also to introduce European instruments for assessing the state of the environment.

In welfare states, decentralization is carried out in response to the technical disadvantages of integrated national development planning or a weak impact of multi sectoral, macroeconomic development of programs, including ecological ones. Neglected soils, reduced forest cover and increased air and water pollution are only part of the environmental problems

in the welfare states. In theory, decentralization is to allow faster completion of projects by giving local governments the ability to limit the 'bureaucratic' procedures associated with overcentralized governments. It is obvious that local level governments can be effective communication channels between the national government and territorial communities.

Decentralization opens up significant prospects for ensuring the ability of local communities to solve independently local daily life issues, in particular, increase the role of citizens, their influence on the process of adoption and implementation of decisions on financial improvement of the agricultural sector of economy with the goal of providing sustainable development of agricultural enterprises and the country as a whole.

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