

CONSTITUTIONAL LAW

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DECENTRALIZATION AS A WAY OF ORGANIZATION OF PUBLIC POWER IN THE STATE

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The article presents modern approaches to the definition and types of decentralization. Defined the essence of decentralization through its basic elements with their following characterization. The experience of European countries is analyzed, the positive and negative aspects of implementation of this principle in regard with an index of decentralization. Ways to improve national legislation in the sphere of organization of public authorities to create favorable conditions for the full implementation of this principle in Ukraine are also suggested.

Decentralization, public administration, organization of public authority, financial deconcentration, political decentralization, delegation, deconcentration, devolution, decentralization index, administrative law.

This article represents actual issues of decentralization principle implementation in Ukraine, taking into account the features of social organization and governance of the state as a whole.

The article deals with current approaches to the definition of decentralization in a special legal literature, including encyclopedic sources, the current legislation of Ukraine, analyzes contained in domestic and foreign professional journals position on the advantages and

disadvantages of decentralization. Special attention is paid to the basic elements of decentralization and their characterization, followed by an analysis of the positive effect of their possible applications.

Studies of decentralization in a way of organization of public power is highly important because the implementation of this principle requires not only formal change of the organization of public authority, but holistic changes in the approach to governance in the state. That is why it is particularly important to disclose and analyze the elements of decentralization. Moreover, European experience of using this institutional principle for improvement of public administration system should be taken into account.

Here're found special place modern issues of decentralization in Switzerland, German, Greece, Estonia and Bulgaria. Explained the success of Switzerland, where a high degree of financial autonomy is given to regions: they have vast tax competences and can for instance set the tax base, the tax rate, keep their tax revenues and in addition get a fixed share of national taxes.

Moreover, through the Decentralization Index shows the degree of decentralization and its elements of European countries. Among the considered elements were following: administrative decentralization, functional (thereof decision making, implementing and territorial), political, vertical and financial decentralizations.

This article reveals also special types of decentralization, their characteristics, among them special attention was paid to the notion and features of political, administrative decentralization, their definitions have found comparative analyzes with the purpose to find similar and differentiating grounds for public administration organization.

Here're also been explained Ukrainian approach to organization of central executive branch, and the proposals on amending domestic legislation in the field have been formed.

At the same time issues of deconcentration have been described as crucial for development of independent self-government bodies.