

Stefanita A., student of the
Academy of Public Administration,
Republic of Moldova
Scientific Advisor: Simboteanu, A.,
Prof. Ph.D.

LOCAL AUTONOMY AS AN IMPORTANT PRINCIPLE OF MODERN PUBLIC MANAGEMENT IN THE REPUBLIC OF MOLDOVA

Local autonomy represents a fundamental principle of the public administrative process. The democratic and modern societies are permanently challenged to develop new methods and to apply new technologies in the propose of an efficient management. In this regard the public sphere is one which has to share but at the same time which has to learn from the private sector about modern management. This study aims to analyse how the local autonomy is applied and insured in the public management process in the Republic of Moldova in new modern circumstances.

It is well known that the traditional model of public administration is outdated. The neo-weberian model of machinist bureaucracy and scientific management cannot be implemented our days. The new conditions of the modern society impose a new approach of public administration. The New Public Management refers to public administration management using ideas, techniques and approaches that have emerged in the private sector. Even in this context there should be a concrete legal framework on public administration and especially the principles governing the processes. In this regard, generally, the local autonomy has an important role in the Republic of Moldova, being regulated by a complex legal framework. The Republic of Moldova ratified the European Charter of Local Autonomy in 1997. These rules formed the basis of the national legal framework in the field of public administration in general and that of autonomy and decentralization in particular. The Constitution expressly establishes, in article 109, the basic principles of local public administration, the first being local autonomy, followed by decentralization of public services, eligibility of local public administration authorities and consultation of citizens on local issues of special interest [1]. The Republic of Moldova registers a complex way of continuous process of legal changing and improving. The local public administration has been regulated by multiple laws since the independence in 1991, the last in a series of 6 laws is the Law no. 436 of 28.12.2006 on local public administration [3].

Taking into account that the new paradigm reflects that the public administration management process should be oriented to the “client”, in this case we are talking about the citizens, an important role are the human resources in the local public authorities. This aspect is regulated by the Law on the status of the local elected official of February 2, 2000 (with the latest amendments from January 2021). Also the strategic framework in this regard is constituted by the National Strategy of Decentralization 2012—2018 and the Public Administration Reform Strategy 2016—2020 [2].

An efficient and modern administrative process implies a correct financial resources allocation. For ensuring the local autonomy principle, the Law on local public finances was improved during last several years in order to balance the delegation of responsibilities with the allocation of resources at the local level. But there are still a lot of debates concerning the local taxes and the delegated competences, so as of the total local public authorities resources in the Republic of Moldova in 2019, only 11 % were own revenues and 15 % from local taxes, and 65 % — state transfers [4, p. 16]. In the same context, through the prism of local autonomy a modern management implies a clear division of the roles and duties between the administrative levels. In Moldova there are still a lot of misunderstandings in this field, even if there are several laws (e.g. Law on administrative decentralization) and strategies (e.g. Public Administration Reform Strategy) implemented for this goal. In some places, the competences of the rayons (II level) are doubled with those of the cities and villages (I level), also registering control from the districts towards level 1. For a modern public management there should be a clear territorial-administrative division, that in the Republic of Moldova is missing, so as the soviet rayons (32) are still existing, and the territorial fragmentation is pronounced, comprising 896 local level I public authorities. The territorial-administrative reform is on the public agenda for several decades but no concrete scenario is agreed.

In conclusion, the Republic of Moldova has many areas to improve in order to achieve a modern public management process respecting democratic principles such as local autonomy. The most of the legislative and institutional improvements have been made due to the collaboration with the European Union and its support. However the reports of the Council of Europe warns of the need to carry out a correct process of reforming the administrative sphere [5]. The experience of the Republic of Moldova shows clearly that a complex legal framework is not enough for an efficient public administration. A transparent and concrete implementation of the norms would be a very first step for achieving New Public Management style.

References:

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