

# Competence areas continue to be an obstacle in fulfilling the duties by local public authorities, study



A study that analyzes the status of districts as administrative-territorial units claims that competence areas continue to be an obstacle in the fulfilment of their duties by local public authorities and present a serious reason for tensions and arguments between different levels of public administration in terms of the exercise of legal powers, the manner and sources of their financing.

The study is carried out by the legal expert of IDIS Viitorul, Viorel Pîrvan, and was presented today, July 20, within the Coalition for Decentralization, supported by CALM (Congress of

Local Authorities from Moldova), IDIS (Institute for Development and Social Initiatives) and the Promo-LEX Association.

It should be noted that this study, like the study presented on Monday, July 18, on the development of local tax system in the Republic of Moldova, appears within the project financed by NED (National Endowment for Democracy), entitled "Assessment of the State of Local Democracy in Moldova".

The study on the assessment of local competences of level I and II claims that the level of fulfillment of all the commitments undertaken by the Republic of Moldova in relation to the standards of local autonomy and decentralization is stagnant, and the attempts to finalize the reform of the public administration system at the local level have failed. Although some progress has been made, the process has been blocked by the political interests of some governments that intended to control local powers from above, turning them into mere appendages of its centralizing and clientelist interests.

The author of the study claims that laws adopted in the field of decentralization and local public self-administration are not properly applied, and certain ambiguities are treated against local autonomies. Normative acts, strategies and national programs often remain mere decorative and unimplemented pieces, accumulating serious arrears in delimiting competences, consolidating the financial basis to ensure decentralized local services and respect for local autonomy.

Many of the powers assigned by law to district and local public authorities are purely formal, not being strictly delimited, or being duplicated which leads to voluntarism and conflicts of authorities. The author of the study proposes to the authorities of the Republic of Moldova to adopt an action plan for strict delimitation of deconcentrated, delegated or decentralized powers, with an approximate indication of stages

and deadlines. The reform of domains and competences, which will be carried out on the basis of principle of subsidiarity, should allow LPAs of level I to hold most areas of local and regional importance, which directly relate to the citizens of those local communities. To be successful, it is extremely important to continue the process of administrative decentralization, to recover all arrears in the given field and to effectively implement all policy documents in organizational, financial, patrimonial, sectoral decentralization.

“Territorial-administrative reform must be a top priority of the Government”, claims the author of the study, because only in this way, we can accelerate the optimization of the local self-government system and remove existing obstacles to the accession of the Republic of Moldova to the EU. Internal stability, political pluralism and good governance are guarantees for the European governance model; without decentralization and subsidiarity, the Republic of Moldova will artificially slow down local development and bringing welfare closer to its citizens,” the study states.

The leaders of the Coalition for Decentralization consider that 2022 is a crucial year to encourage the Government to act towards accelerating decentralization and consolidating local powers. Accelerating decentralization and ensuring effective local autonomy is at least as important a priority in the EU accession process as justice reform, fighting corruption and economic reforms. By presenting the 2nd study this week on the competences of the two levels of local public administration, the Coalition for Decentralization announces to its dialogue partners at the central level that it is ready to resume work within the Parity Commission in support of the objectives expected by local powers.

In its capacity of national platform dedicated to the reform of local and regional powers, the Coalition aims at delivering quality proposals and expertise to the central authorities,

reaching consensus on the priorities of the reform, bringing together all local and national actors in this complex process.

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