

TYPES OF CONFLICT IN THE PUBLIC ADMINISTRATION SYSTEM IN THE REGIONS OF RUSSIA (ON EXAMPLE OF THE REPUBLIC OF MARI EL)

Oleg A. Egoshin¹, Polina S. Starygina^{2*}, Svetlana A. Utrosina³, Andrey V. Shvetsov⁴

¹ As. Prof., Mari State University, Russia, oe03.egoshin@yandex.ru

^{2*} As. Prof., Mari State University, Russia, poly222@yandex.ru

³ As. Prof., Mari State University, Russia, usa_sveta@mail.ru

⁴ Prof. Dr., Mari State University, Russia, av.shvetsov@yandex.ru

* Corresponding author

Abstract

In the article the authors raise the problem of management of social conflicts in the public administration system in the regions of Russia. Special attention is paid to conflict of interests and its legal regulation in the Republic of Mari El. In the study of issues analysis of the legislation of Russia and the Republic of Mari El, which regulate the issues and problems in public administration and public service.

Keywords: Governmental brunch, municipal service, conflicts, conflict of interest, corruption.

1. INTRODUCTION

The conflicts in the sphere of governmental management happen to be the most numerous varieties of social – political conflicts, which might arise due to the difference of interests, concurrence, and contestation of different institutes and governmental structures because of realization of public power. This is a form of interaction governmental – political institute, organizations and people executing the power in a part of certain governmental system. It is a complicated system which includes multiple contradictions but at the same time the work with this contradictions give the system a chance to adapt to constantly changing conditions. That is why it is possible to say that conflicts are a part of general mechanism of adaptation of the governmental – administrative sphere and they let achieve better effectiveness of the whole system. There is one typical mistake of giving a general definition for a particular one. In the theory and on practice another mistake is also made: we take the final phase « explosion» for an actual conflict definition. In a conflict there is not only the collision of interests , aims and motivation of sides but a collision of real subjects – interactive sides which occur (Garanin L.A., Starygina P.S., 2015).

2. METHODS

Methodological basis of research include 2 general reference points.

- 1) that analyzes of general types, problems and understanding of organizational – managerial conflicts and they're used for given problematic;
- 2) informative analyzes of problems connected with revelation of tasks given in the research and then – technological conclusions from this analyze which ground its practical meaning.

Due to these problems a lot of theoretical and practical material, literary sources, publications on the research problem, normative legal acts of Russian Federation and Mari El republic have been analyzed.

Practical material, necessary for the confirmation of theoretical conclusions was obtained by methods of analyzes of juridical documents and statistical data.

3. RESULTS AND DISCUSSION

Any conflict is unique from different ones of you, however, due to specific external and interior relationship which exist in the governmental – administrative sphere, it is possible to distinguish several types of conflicts:

1. Conflicts between political and governmental – administrative subjects;
2. Conflicts between governmental-administrative structures and organizations of governmental and private sectors;
3. Conflicts between departments, Ministry and other organizational elements of management;
4. Conflicts between Central, regional and local apparatus of governmental management;
5. role – functional conflict in the governmental organizations and establishment
6. Informal conflicts in and between separate governmental establishments;
7. Conflict of interest in the system of governmental and municipal employment.

Conflict of interests in the governmental and municipal employment takes particular place in the row of social conflicts in the system of governmental management.

Some attempts for giving a definition for « conflict of interests» were first made by international organizations which defined basics elements of this meaning and attached them in the international legal acts

Definition «conflict of interests» firstly applied for governmental employees of Russian federation was attached in a federal law « On a system of governmental employment of Russian Federation» of 27, May 2003 № 53-FL. In further details this category is shown in Federal laws «On governmental civil employment in Russian Federation» of 27, July 2004 № 53-FL and «On municipal employment in Russian Federation» of 2, March 2007 № 25-FL

Federal law «On counteraction of corruption» of 25, December 2008 № 273-FL spread out the institute of conflict of interest among all the types of governmental service

Conflict of interests on the governmental and municipal service can be considered as a contradiction between private interests of employee and his official responsibilities. The absence of mechanism to prevent and regulate the conflict of interests, an opportunity to use his official post for lobbying his interests, noncompliance of requirements for the official behavior, absence of control for compliance of employees their responsibilities and other factors lead to a professional trespass, produce conflicts of interests , harm the image of authorities.

National anti-corruption politic, carried out in the government in the moment increased the importance of problem of conflict of interests in the governmental and municipal service. The definitions «corruption»and «conflict of interest» are united by the same consequence, connected with bringing harm to legal interests of citizens, society and government. This problem influences all the levels of Authority and dictates the necessity of their interaction on federal and regional levels. In order of consolidation of efforts of federal organs of governmental authority, organs of governmental employment of subjects of Russian Federation, organs of local self management, institutes of civil society aimed for contradiction to corruption and illumination of reasons which may cause it.

Due to edict of president of Russian Federation of 13, April 2010 № 460 National strategy for counteraction to corruption is affirmed. Subsequently, the strategy is detailed in International plans of counteraction to corruption.

National plan of counteraction to corruption for 2016-2017 call perfection of legal basis and organizational mechanisms one of the main measures of increasing the effectiveness (. National plan of counteraction to corruption, 2016)

Following general objects and tasks of national strategy of counteraction to corruption, most subjects of Russian Federation began to define ways of regional anticorruptional politics, built its normative basis. Thus, in order to form anticorruption behavior of governmental and municipal employees, to define and predict the conflict of interests in Mari El republic in February, 4 2010 the conception of perfection anticorruptional mechanisms owns a governmental service in the real republic has been admitted. Afterwards, activity for a perfection of regional legal basis was continued. The work of adduction of organs of governmental and municipal authorities in Mari El republic has been made according to the national plan of counteraction to corruption for 2016-2017. The government of Mari El republic affirmed the program of counteraction to corruptional activity in June, 29 2016 №307. This program defined objects and tasks of anticorruptional work in Republic. One of the main tasks is perfection of normative and legal regulation in a sphere of counteraction to corruption; perfection legal basis and organizational mechanisms of defining a conflict of interests in relation to people taling governmental posts, posts of civil service and municipal service of Mary El republic (The program of counteraction to corruptional activity, 2016).

Relying on the legal basis, organizational events on the structures's creation invoked to ensure the anticorruptional safety was carried out. By the edict of the Head of Mari El republic #287 in October, 15 2016 The guidance of prevention corruptional and other trespass was created in Mari El republic. In a thesis of management one of the main tasks in this direction defined as: foundation of citizens Who substitute governmental posts, governmental civil and municipal employees and citizens; prevention of corruptional offense; realization of control of governmental and municipal employees, limitations and requirements set up in order to counteract the corruption, provision of special requirements by the legislation of Russian Federation of the Control for expenses and other anti-corruptional norms.

Education of special commissions for observance requirements for employees behavior and conflicts regulation in governmental and municipal branches is one of the most important organizational mechanism.

Due to the edict of President of Mari El republic in August, 19 2010 # 162 different commissions in branches of governmental employment has been formed. The edict of the head of Mari El republic defined the order of creation these commissions in organs of local self-management.

Authorities hold a verification of observance the restrictions, responsibilities and prohibitions by employees. Thus, in 2014, 62 checking in the organs of governmental employment of Mari El republic and 128 in their organs of locals of self-management were held. In 2015 the quantity of this checking has increased, and governmental organs there were 91 and the organs of local self-management -256 [4].

Leaders of governmental organs and organs of local self management actively use different possibilities of commissions to observance the requirements for the service behavior of governmental civil and municipal employees and regulation of conflict of interests. As for the 31, December 2014 these types of commissions proceeded in all governmental organs of Mari El republic. There were made these types of commissions in most organs of the local self- management: in 121 out of 180.

48 organs of local self management made a contract about transferring their duties for some questions connected with observance requirements of service behavior of municipal employees and regulation of conflict of interest by administration of the municipal region. As for January, 1, 2016, 139 commissions were involved in Mari El. In 2014 these commissions held 65 sessions, in 2015 the quantity increased to 103 sessions. In 2015 due to the results of 116 commissions about 82 violations has been revealed. 78 governmental and civil and municipal employees were appealed for disciplinary responsibility, 76 of them for giving unreliable facts. In 2015 two municipal employees were fired due to lack of confidence and non-acceptance of measures for prevention and regulation the conflict of interests. (Reports on the state of corruption, 2016)

For conscientious and effective production of authority responsibilities by governmental civil employees in March, 2 2011 # 24 the Code of ethics and service behavior was affirmed.

This Code requires keeping the rules of service behavior and avoiding any conflict situations which might bring harm to its reputation or image of governmental organ.

As a consequence, the Codes must create a position in the system of governmental and municipal branch in which the employees could follow social actions and not some private interests. This would aim to prevention of conflict of interests and to creation of anticorruptional mechanism.

4. CONCLUSION

Methodical, organizational, educational work on anticorruptional and ethical – professional development of governmental and municipal employees are the objections of providing requirements for service behavior and prevention of conflict of interests. In order of realization of Concept of perfection the anticorruptional mechanisms on the governmental civil service of Mari El republic special reminders about typical situations of conflict of interests on a civil service and the order of its regulations are developed. According to the administration of the Head of Mari El republic universities of republic have developed different methodic on the observance of requirements for service behavior of governmental several employees, it's in difficult ocean of situations which are connected with conflict of interest on the civil service, finding a solution for conflict of interests on the civil service etc.

For developing anticorruptional social consciousness of civil and municipal employees there were systematic ethnic, anti-corruptional events in a governmental and municipal organ. From year-to-year the quantity of these events grows rapidly. In 2012 there were 196 different events in the form of: conference, round table, training, session, business game, testing, discussion, contest, book's exhibition etc. and in 2013 the quantity increased to 571, in 2014 there were held 425 events and in 2015 about 622 events (Reports on the state of corruption, 2016)

Thus, at the present moment in the system of governmental and municipal service in Mari El republic there was a practice of prevention the conflict of interests. The mechanisms, providing a solution of conflict of interests is introduced and realization by governmental and municipal employees of their professional activity according to the general norms of service behavior.

REFERENCES LIST

- Garanin L.A., Starygina P.S., Utrosina S.A., Glushkova O.V.(2015). Organizational and managerial mechanisms for resolving social conflicts: legal aspect. *Mediterranean Journal of Social Sciences*. T. 6. № 3. C. 53-58.
- National plan of counteraction to corruption for 2016-2017 in Russian Federation of 1, April 2016 № 147. Retrieved from: http://www.garant.ru/products/ipo/prim_e/doc/71264578.
- The program of counteraction to corruptional activity in Republic of Mari El for 2016-2020 of 29, June, 2016 №307. Retrieved from: <http://mari-el.gov.ru > DocLib/011.doc>.
- Reports on the state of corruption and implementation of measures to combat corruption in the Republic of Mari El in 2012-2016. Retrieved from: <http://mari-el.gov.ru/publicservice/Documents/160401>.