

THE MUNICIPAL PUBLIC CHAMBER IN THE SYSTEM OF LOCAL COMMUNITY'S INSTITUTIONS

Denis S. Mikheev¹, Tatiana N. Mikheeva^{2*},

¹Prof. Dr., Mari State University, The Russian Federation, Mikheev_ds@mail.ru

²Prof. Dr., Mari State University, The Russian Federation, tnmiheeva @marsu.ru

*Corresponding author

Abstract

The aim of the study is to determine the role of the municipal public chamber in local communities. One of the tasks became analyzing its legal status and developing the most optimal methods of formation. The solution of another task is connected with the study of municipal chamber's participation in the public control over the activities of local self-government bodies. Scientific novelty lies in the fact that in the work own proposals on the legal regulation of municipal chamber's creation have formulated. And the features of this institute are taken into account. The results of the research became the identification of the municipal public chamber's specifics, which is connected with the necessity of its approach to citizens and public organizations in the municipality. The procedure of its formation, excluding participation of local self-government bodies in this process, is proposed. On the practical side, the results of the research can be used in law-making activities, as well as in law enforcement practice.

Keywords: municipal public chamber, local community, municipality, local self-government bodies.

1. INTRODUCTION

Public chambers are the most important institution of civil society in Russia last decade. Formation of the Public Chamber of the Russian Federation put the beginning of their formation in 2005. Later, the regions became more active, and now in all 85 constituent entities of Russia public chambers are created and operate with varying degrees of activity (Mikheeva, 2015). They give opportunities to civil activists, representatives of non-profit organizations and all interested citizens for discussing publicly and bringing their initiatives to the attention of government officials. In the Report for 2014 such conclusion was made about the state of civil society in the Russian Federation (Report, 2014). Public chambers are the link which connects authorities with citizens and allows you to capture public interests, needs (Bujanov and Mikheeva, 2017).

Until recently there were not general approaches to the formation, structure, status of regional public chambers. However, the Federal Law "On General Principles of Organization and Operation of Public Chambers of Constituent entities of the Russian Federation" (Federal Law, 2016) unified many issues and it allowed these structures to become full participants in public life. The law provided representation many

social groups and public associations in public chambers of constituent entities of Russia. Such diversity allows to reflect the opinion of various strata of society widely (Mikheev, 2011), and the most active formations of citizens express their position (Mikheev, Dudko and Mikheeva, 2015).

The Institute of Public Chambers continues its development at the local level. Municipalities on behalf of their bodies initiate creation of the local public chambers, which activities are regulated by municipal legal acts (Grib, 2015). However, this process is not as active as the challenges of the time require, although the role of these bodies has been increased with the adoption of the Federal Law "On the Basics of Public Control in the Russian Federation" (Federal Law, 2014). The law allows to make the activity of municipalities for the population open and to inform citizens about it (Mikheeva and Likhoshva, 2016). This openness is very important for the service sector which provides power to the population (Yakhina, Yaichnikova and Mikheeva, 2015). Scientists consider that this law is able to ensure the accountability of local authorities (Kudryavtzev, Mikheeva and Mikheev, 2016), to identify shortcomings in the activities of municipalities (Belousov, Gornev and Mikheeva, 2015). Thus, an important task is achieved on the effectiveness of local self-government (Mikheev, Mikheeva and Mokoseeva, 2015).

Among the subjects of public control, public chambers of municipal entities are fixed legislatively at the local level. In case of their non-creation, the local community loses its own legitimate bodies of the public control.

Today there are no the same approaches to their formation. The need for study of public chambers' formation and the development of common legal algorithms creating the basis for their activities arise in municipalities. Connected with this the focus on ensuring broad public participation and further implemented account of the public interest are actual (Stepanova, 2010).

2. RESULTS AND DISCUSSION

The questions of not only the development of civil society, but also the questions of effective forms' legislative consolidation of interaction between local self-government bodies and public associations have long been in the field of view of researchers. Exactly they include the most active and responsible residents of the municipality at the local level (Hyden, 1997). Ideally the public chamber of the municipality should become the key institution of civil society. However, today there is no legal uniformity in their status. Neither the federal nor regional legislators offer a legal act regulating the procedure for their creation and activities. In this situation, local public chambers are created by decisions of heads of municipalities, municipalities' representative bodies. In the point of view of public nature of these bodies, such approaches cannot be admitted as successful.

The Public Chamber of Russia notes a negative trend, when the municipal chambers are headed by the heads of municipal formations or their deputies. In some cases in municipal public chambers there were people who are not connected with civil society.

At first glance, the federal law "On the Basics of Public Control in the Russian Federation" strengthened the status of the municipal public chambers, calling them subjects of public control at the local level. However, the need of the development of the common legal approaches to the formation of municipal public chambers becomes obvious.

The first urgent issue is the territorial level at which such chambers should be created. In our opinion, the optimal level, where public chambers can function fully, is city districts and municipal districts. A significant number of municipalities follow this way.

A serious issue is the adoption of the regulatory legal act which determines the general procedure for the creation of these bodies. It should be fixed in the law of the constituent entity of the Russian Federation. Concrete issues, arising in the formation of each municipality, can be regulated in the Regulations approved by the decision of these municipalities' representative body (for example, the membership of the public chamber, the term of office, etc.).

Public Chamber of the constituent entity of the Russian Federation should become the central link involved in this process. The right to nominate candidates for the municipal public chamber should be given to public representatives of the local community. It can be local public associations which are registered and carry out activities in the territory of the respective municipality. The initiative of nomination should also be extended to the youth chambers (if they are formed on the municipal territory), labor collectives, territorial public self-government. Inclusion of such entity of nomination, as labor collectives, will provide an opportunity for municipal schools, gymnasiums, cultural and health institutions to recommend the most active of their representatives to the public chamber at the municipal level. Having examined given documents, the public chamber of the constituent entity of the Federation forms a list of candidates for voting. This information

should be open and accessible to the population of the municipality, and they should be also posted in local media, on the website of the regional public chamber and on the official website of the municipality.

The staff of the municipal public chamber is determined by voting of members of the regional public chamber. The proposed procedure excludes the interference of authorities in the process of forming municipal chambers and the further influence of local self-government bodies on their members. In the law of the constituent entity of the Federation it is necessary to provide for responsibilities of local self-government bodies to assist municipal public chambers in their activities.

Another principle question arises - about financing and material and technical supporting of the municipal public chamber. It is rational to entrust these functions to the local self-government bodies of the respective municipal entities. For this purpose the annual budget should be compiled for the maintenance of municipality's public chamber, and it is included in the local budget. Control over these issues should be assigned to the public chamber of the region.

We believe that the proposals will contribute to the formation of the proper legal status of the municipal public chamber as an institution of civil society at the local level.

3. CONCLUSION

In municipalities of Russia the effectiveness of civil society institutions is becoming increasingly relevant. In municipalities there are various public resources on behalf of local public organizations, active groups of citizens, the media, and municipal public chambers. However, municipal chambers have been created not in all regions. They should become the center, consolidating all representatives of local communities' civil sector and they should facilitate the establishment of a dialogue between the authorities and public structures, and establishing close ties between them. Organizational issues of public chambers' formation should be determined for that in the municipalities at the legislative level. The normative provisions are formulated on the basis of the research conducted, which is the legal basis for the legislators of the constituent entities of the Russian Federation. The proposed procedure for forming of the municipal public chambers is democratic and it allows strengthening citizens' confidence of municipal formation to the new public institution.

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