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DECENTRALIZATION OF POWER IN KAZAKHSTAN: CURRENT STATE AND DEVELOPMENT PROSPECTS

Abstract. This article will show the basic principles and existing types of decentralization of power, and also show models of their organization and the experience of individual states. The main historical stages of decentralization in Kazakhstan, existing approaches to the impact of decentralization on life and the general political situation in the country will be proposed.

An analysis of legislative acts on local government and self-government was carried out, their positive and negative principles, the powers of organizing the work of local government and self-government bodies in Kazakhstan were determined.

There will be recommendations and reasonable proposals for the division of powers between various levels of executive and representative bodies of local government. Proposals for a model of inter-budgetary relations at the local level and new sources of replenishment of the local budget. Strengthening the communal property of local authorities.

Keywords: *decentralization, public administration, local self-government, efficiency, Maslikhats, Akimats, regional policy, local community, stages of decentralization, interbudgetary relations.*

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ҚАЗАҚСТАНДАҒЫ БИЛІКТІ ОРТАЛЫҚСЫЗДАНДЫРУ: ҚАЗІРГІ ЖАҒДАЙЫ ЖӘНЕ ДАМУ ПЕРСПЕКТИВАЛАРЫ

Андатпа. Мақалада билікті орталықсыздандырудың негізгі принциптері мен қолданыстағы түрлерін көрсету, оларды ұйымдастырудың үлгілерін және жеке шетел мемлекеттердің тәжірибесімен бөлісу. Қазақстандағы орталықсыздандырудың негізгі тарихи кезеңдерін, өмірге және елдегі жалпы саяси жағдайға әсері туралы қандай тәсілдерге негізделгенін көрсету. Жергілікті мемлекеттік басқару және өзін-өзі басқару мәселелері бойынша заңнамалық актілерді талдап, олардың оң және теріс принциптерін көрсете отыра, Қазақстандағы жергілікті мемлекеттік басқару және өзін-өзі басқару органдарының жұмысын ұйымдастыру өкілеттіктерін анықтау туралы ұсыныстар берілген. Жергілікті өзін-өзі басқарудың әртүрлі деңгейдегі атқарушы және өкілді органдары арасында өкілеттіктерді бөлу бойынша негізделген ұсыныстарды ұсынған. Бюджетаралық қатынастардың жаңа нысандары мен үлгілерін, жергілікті бюджетті толықтырудың жаңа көздерін анықтап және жергілікті билік органдарының коммуналдық меншігін нығайту бойынша ұсыныстар енгізу мәселелері қарастырылған.

Түйін сөздер: орталықсыздану, мемлекеттік басқару, жергілікті өзін-өзі басқару, Мәслихаттар, әкімдіктер, аймақтық саясат, жергілікті қоғамдастық, орталықсызданудың кезеңдері, бюджетаралық қатынас.

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ДЕЦЕНТРАЛИЗАЦИЯ ВЛАСТИ В КАЗАХСТАНЕ: СОВРЕМЕННОЕ СОСТОЯНИЕ И ПЕРСПЕКТИВЫ РАЗВИТИЯ

Аннотация. В статье показаны основные принципы и существующие типы децентрализации власти, также показаны модели их организации и опыта отдельных зарубежных государств. Предложены основные исторические этапы децентрализации в Казахстане, существующие подходы о влиянии децентрализации на жизнь и общую политическую ситуацию в стране. Проведен анализ законодательных актов о местном государственном управлении и самоуправлении, при этом определив их положительные и отрицательные принципы, полномочия организации работы органов местного управления и самоуправления в Казахстане. В заключении выработаны рекомендации и обоснованные предложения по разделению полномочий между различными уровнями исполнительной и представительными органами местной власти, по модели межбюджетных отношении на местном уровне и новые источники пополнения местного бюджета. Укрепления коммунальной собственности местных органов власти.

Ключевые слова: децентрализация, государственное управление, местное самоуправление, Маслихаты, Акиматы, региональная политика, местное сообщество, этапы децентрализации, межбюджетные отношения.

Introduction

Regional policy plays a crucial role in the development of any state, necessitating a well-informed and balanced approach to its implementation. It forms an essential and autonomous component of the political framework within society. The natural and economic disparities among regions highlight the importance of enhancing the efficiency of local governance and identifying the best methods to allocate rights and responsibilities between central and regional authorities.

A key aspect of advancing political and socio-economic processes is the decentralization of power, which involves clearly defining the roles and responsibilities of state institutions. This goal can be realized through further democratization, modernization of state governance, diversification of authority, expanding citizens' political rights and freedoms, and strengthening the principles of private property. In the current stage of Kazakhstan's societal development, significant prerequisites exist that could serve as a foundation for decentralizing public administration across political, economic, social, and cultural domains.

It is well known that in most developed democratic countries it is the LSG bodies that directly solve the most important social problems. The main reason for such a relatively high interest and active participation of citizens in the activities of local authorities is their direct participation in management work and decision-making. Decentralization of the budget also plays an important role in this, since it is known that the effectiveness of problem solving depends on independence in financial matters.

President of Kazakhstan Kassymzhomart Tokayev instructed to decentralize the public administration system and expand the powers of local authorities. This work begins with the transformation of the Prime Minister's office into a "compact government apparatus" dealing with cross-sectoral issues [1].

"At the same time, emphasis should be placed on the decentralization of the public administration system, as well as on increasing the personal responsibility of political officials. Some government powers should be transferred to ministries.

President Tokayev emphasized that responsibility for specific sectoral policies should rest with individual ministers rather than the collective cabinet. He highlighted the importance of addressing cross-sectoral issues effectively. As a step toward this goal, the Office of the Prime Minister will be transformed into a streamlined state apparatus aligned with modern public administration standards. "This is not merely about changing names but implementing genuine reforms," the president stated [2].

By optimizing the vertical of central departments, the state needs to significantly expand the powers of local executive bodies, which will bring the solution of urgent problems closer. "We must pay maximum attention to the regions and people: the

reform of local government, public councils, cooperative of apartment owners, association of apartment owners.

It is necessary to carry out work on the planning and placement of residential buildings and urban infrastructure. "Their appearance and the work of the internal infrastructure do not meet the expectations of citizens and reduce the reputation of the country in the eyes of foreigners," Tokayev said [3].

Research methods

A comparative method is used, which contributed to the analytical study of local government systems and local self-government in Kazakhstan, as well as the formation of recommendations on the most appropriate methods of decentralization of power to the local level. The main theoretical basis of the study was: The Constitution of the Republic of Kazakhstan, the Law of the Republic of Kazakhstan "On Local Government and Self-Government" (hereinafter - the Law). The theoretical basis of the research was also made up of the works of Kazakhstani authors Baimakhanov D.M., Zhatkanbaev A.E. (2013 – p. 5), L.T. Zhanuzakova (2014. – p. 68), S.L. Midelsky (2014 – p.1-8), Chebotarev A.E. (2001. p.34-43), Kopobaeva O.K. (1999. p.160) [5]., Burlakova L. N. (2002 – p.14, 44) who studied the peculiarities of the development of public administration and issues of decentralization. The relevance of the study is determined primarily by the Messages to the people of Kazakhstan from the President of the country K.J. Tokayeva "Constructive public dialogue is the basis for stability and prosperity of Kazakhstan" dated 02.09. 2019 and "Kazakhstan in a new reality: time in action" dated 01.09. 2020. and other fundamental policy speeches of the Head of State in 2022-2024 .

Methodology of the expert survey

The expert survey was conducted from February to April 2024 and included 69 experts from three regions of Kazakhstan: Astana, North Kazakhstan and Pavlodar regions. The sample included representatives of various professional groups directly related to issues of public administration and social development. Among the respondents are civil servants, deputies of regional, city and district maslikhats, representatives of non-governmental organizations, as well as scientists and experts from academic and analytical communities. The survey was aimed at identifying expert assessments and opinions on key issues related to the issues considered in the study: the democratization of the local government system and the development of the institution of local self-government in Kazakhstan, including issues of decentralization of power: the division of powers between public administration and local self-government.

Discussion. Effective differentiation of responsibilities and powers at this stage is the central issue of further reform and democratization of the local government system. There are several generally accepted types of decentralization – administrative, fiscal and politico-democratic [4].

Administrative decentralization is the distribution of responsibilities of the central government to local authorities, political/democratic is the establishment of

a system for electing local authorities, transferring executive and legislative power to them locally, and fiscal is the right of local authorities to collect and spend tax revenues, independently collect funds from various other sources.

There is also political decentralization, which has a significant impact on the level of accountability and accountability of local authorities. The economic aspect of decentralization is the basis for solving the pressing problems of the regions not only in the economic sphere, but also in the social, demographic and environmental spheres. This will require the development of appropriate mechanisms for delineating responsibilities and dividing powers in the field of finance to ensure real independence of budgets. Financial decentralization is designed to provide conditions for the establishment and maintenance of financial flows for local governments, appropriate to their specific needs and responsibilities. This implies that each level of management has its own sources of income, the right to independently determine the directions of their expenditure, and the inadmissibility of withdrawing additional income to higher budgets. All these provisions will require the adoption of significant amendments to the Laws of the Republic of Kazakhstan "On the Budget System" and "On the Tax Code". The development and modernization of the institute of local government and self-government in the Republic of Kazakhstan is directly related to the pace of ongoing political reforms aimed at democratization in the country. At this stage of the country's development, it is important to adopt important laws on local self-government and to delineate powers between levels of government.

According to Article 85 of the Constitution of the country, local government and self-government are carried out by local representative and executive bodies responsible for the state of affairs in the relevant territory. According to Article 86 of the Basic Law, local representative bodies - maslikhats represent the will of the people in the appropriate administrative-territorial division and, taking into account national interests, determine the necessary measures for its implementation and monitor their implementation. Also, in accordance with article 87, local executive bodies are part of the unified system of executive bodies of the Republic of Kazakhstan, ensure the implementation of the general state policy of the executive branch, combining the interests of the relevant territory and the need for development. As indicated in Article 2-1 of the Law of the Republic of Kazakhstan "On Local Government and Self-government", the akim of the region, district, city, district in the city, rural district, village and villages outside the rural district performs the functions of local government, as well as the functions of public administration. In accordance with the Law of the Republic of Kazakhstan "On Local Government and Self-Government", it is provided that local self-government is carried out solely within the boundaries of the region, district, city, district within the city, rural district and village are not part of the rural district, and local self-government is carried out by members of the local community directly, as well as through maslikhats and other local government bodies [5]. According to the Law of the Republic of Kazakhstan "On Administrative-territorial construction of the Republic of Kazakhstan", the system of administrative-territorial construction includes the following administrative-territorial units: village, rural district, urban

district, city, district, region [6]. The local government system consists of the following levels: the first level is the akim of the region, the regional maslikhat, the second level is the akim of the district, the district maslikhat, the akim of the village, the third level is the assembly (assembly) of the local community.

The number of units in the administrative-territorial republic in which local government and self-government are organized: Regions of the first level (17), cities of republican significance (2, Almaty, Shymkent) and the capital (Astana) (1); rural districts of the second level (166), cities of regional significance (38) urban districts (20); the third level – rural districts (2283), villages, villages (82), cities (26).

In accordance with article 3 of the Law on Local Government and Self-Government in the Republic of Kazakhstan, the economic and financial basis for the activities of local government and self-government:

- 1) local budget;

- 2) property assigned to communal legal entities;

- 3) constitutes other property that is in communal ownership in accordance with the legislation of the Republic of Kazakhstan. The main core of the LSG system, in accordance with the above-mentioned Law, is defined by local representative bodies - maslikhats, which express the will of the population of the relevant administrative-territorial units and, taking into account national interests, determine the measures necessary for its implementation and monitor their implementation. Maslikhats in Kazakhstan at the local level, as the only representative body, are a kind of bridge between the people and the government. They, within their powers, contribute to solving many pressing issues and accumulated problems of the local community.

As part of the nation's unified system of executive bodies, local executive bodies, or akimats, make sure that the executive branch's national policy is implemented while also taking into account the demands and interests of the relevant territory's development [5, p. 3]. In addition to managing communal property, local executive bodies are also in charge of: 1) creating plans, economic and social programs for the territory's development, and the local budget, as well as making sure they are implemented; 2) appointing and dismissing local executive body heads and resolving other issues pertaining to the organization of their work; and 4) exercising other powers granted to them by other laws in the interest of local public administration. The local executive body is headed by the akim of the relevant administrative-territorial unit, who is a representative of the President and the Government of the Republic. Akims of regions, cities of republican significance and the capital are appointed by the President of the Republic, respectively, with the consent of regional maslikhats on an alternative basis. This innovation was introduced after the adoption at the republican level of the amendment introduced by the Head of State in 2022 to the Constitution of the country. Akims of other administrative-territorial units are appointed or elected to office, as well as dismissed from office in accordance with the procedure determined by law. At the initiative of at least one fifth of the total number of deputies of the Maslikhat, the question of expressing a vote of no confidence in the mayor may be raised [7].

The results of the study

The deepening of democratic principles in the modernization of local government and local self-government continues evolutionarily in modern conditions. However, even in the strategic document "Kazakhstan – 2030: Prosperity, security and improvement of the well-being of all Kazakhstanis" it was noted: "the decentralization of power and the transfer of powers to lower levels, directly in contact with the objects of their efforts, are so obvious that central and other state bodies in the future will have to constantly prove their usefulness and usefulness" [8].

To implement this paragraph, on February 10, 2003, the Government of the Republic of Kazakhstan adopted Resolution No. 147 "On the concept of separation of powers between levels of Government and improvement of inter-budgetary relations." The concept noted at that stage of the country's development the priority of issues of a clearer division of functions between all levels of government, the transfer of the center of reform to the lower levels of local government.

In world practice, several models of local government organization have developed: Anglo-saxon, continental and mixed. These models are related to the procedure for the formation of local government, the issues it resolves, the nature and features of the relationship between local government bodies and state bodies, decentralization, etc. The Anglo-saxon model has the following features: - separation of functions of the state and municipalities; - mandatory approval of property rights by municipalities; - administrative-territorial unit - community; - election of councils by direct elections; - the council appoints executive bodies; - the basis of the service is to ensure the organization of socio-cultural life and protection of the population. The continental type has the following features: - significant influence of the state on municipalities; - strict control over the actions of local governments in the use of municipal property; - the dominant administrative-territorial unit is the commune; - municipal and state authorities coexist; residents elect a council, and the council elects a mayor; - Council decisions are mandatory for execution and come into force only after prior approval by the state authorized representative. The mixed form has the following features: structural and functional diversity of local self-government; - distribution of municipal property at the discretion of the state - administrative-territorial unit - district (or city with district status); - the federation grants the right to choose and organize the form of local self-government in the territories (administrative-territorial districts) [9].

International experience and standards on local self-government allow us to analyze and compare the compliance of our regulatory legal acts and concepts with the countries of the European Union and other countries that have rich experience and traditions of local self-government. Kazakhstan, in accordance with the norms of the current constitution, is working to implement its own model of local self-government based on international documents, in particular the European Charter on Local Self-Government, which establishes decentralization as a priority direction for any model of local self-government. The Kazakhstan model has its own characteristics. These are, first of all: - gradual budgetary and financial decentralization; weak competence of local self-government bodies and broad

competence of public administration bodies; performance of state functions and functions of local self-government by the same bodies in the same organizational and legal structures.

As is known, the degree of readiness of any country to conduct decentralization is influenced by many factors. These are the main historical, geographical and demographic parameters (area of the territory, population, degree of urbanization and ethnic composition) that affect the degree of predisposition of the country to conduct budget decentralization. Thus, large countries such as Kazakhstan are characterized by a great need for decentralization of state functions with their transfer to local levels of government. In addition, decentralization can be one of the options for solving the problems and demands of the population in countries with a high level of ethnic diversity [10].

Analyzing the models of decentralization of power in the countries of the former Soviet Union, close to Kazakhstan in their development, it can be noted that they are supported by constitutions of almost all CIS states, but at the same time, taking into account democratic transformations and national characteristics, they are different.

We are primarily interested in the experience of developed foreign countries, especially in Eastern Europe, the former socialist countries, which are close to our country in their historical development. Analyzing their experience, it can be noted that everywhere there is a tendency to strengthen relations between regional and local authorities and the central government. However, this movement is not uniform and linear. In the countries of the European Union, decentralization takes various forms, while being based on ideas and values shared by all EU member states: self-government, civic participation and proximity of power to the population [11].

Kazakhstan has a strong interest in examining local government systems and the outcomes of related reforms in other unitary states. One of the most notable examples is Poland, which is recognized as a leading model of decentralization in Europe. Poland's local government reform, implemented in several stages, culminated in a major restructuring in 1999. This reform established a three-tier system consisting of gminas, poviats, and voivodeships, which are roughly equivalent to rural districts, districts, and regions in Kazakhstan, respectively. The population of a gmina varies widely—from around 2,000 in rural areas to over 2 million in major cities. The leadership of a gmina depends on its classification: it is headed by a mayor (burmistrz) in mixed areas, a city president (prezydent miasta) in larger urban areas, or a village head (wojt) in rural areas. Each gmina also has an elected council and an executive board. The council performs a control function and approves the budget. The board is appointed and headed by the head of the gmina, who is elected by direct vote [12].

Communes (gminas) in Poland are responsible for addressing a wide range of local issues. They manage secondary education, health care services, support museums and other cultural institutions, maintain local police forces, oversee land management, construct and maintain roads, protect the environment, and handle other essential local functions. In addition, gminas are tasked with delivering

social protection services to the local population. Financially strong communes have the flexibility to either waive certain local taxes and fees or introduce new ones at their discretion.

The second tier of local government in Poland is the powiat (district). To qualify for powiat status, a municipality generally must have a population exceeding 100,000 resident. The powiat carries out public tasks that extend beyond the boundaries of the commune in the following areas: secondary vocational education, health care at the level of large hospitals, social assistance, orphanages, homes for the disabled and the elderly, public transport and roads passing through the territory of several communes, a large employment centre, geodetic services, registration, etc. Powiats organically complement the structure of local government, since the state can provide functions and corresponding resources only at this level and not lower, and is also obliged to exercise control over their use. For example, up to 40% of the state budget is directed to the local level, and up to 60% of all investments in local facilities are financed from local budgets [12, p. 132].

The inhabitants of the county make decisions by universal suffrage, which is carried out in elections and referendums. These bodies are: the council and the administration. The council elects the head of the county, the administration as the chairman of the board and the starost. The county is independent in decision-making, is not under the control of other authorities and is in fact a link between the gminas that are part of it.

The voivodeship is a single unit of local government headed by a voivode appointed by the Polish government. The governor has only representative and supervisory functions and is a representative of the Polish government.

We believe that the achievements in reforming the local government system in Poland are the implementation of the following measures:

1. Decentralization of power. Poland has carried out a reform that redistributes powers between the central government and local governments. This has allowed municipalities to assume more powers and responsibilities for their regions.

2. Financial independence. Poland has created a system of financial autonomy for municipalities, which has allowed them to generate more revenue and govern themselves independently. This has increased the efficiency and accountability of local government.

3. Citizen participation. Poland has created a system that allows citizens to participate in decision-making processes at the local level. This has increased the level of democracy and accountability of local governments to the people.

In Finland, for example, an experiment is underway to expand the freedom of municipalities, and more than half of the municipalities are currently participating. It is based on the declarative principle of participation: a municipality joins the Ministry of the Interior as an experiment, then reports the decision, and then begins to freely manage its own affairs according to its needs in accordance with a special temporary law. In this way, Finland is actively introducing new technologies and digital solutions into the local government system, which has increased its efficiency and improved the quality of services provided to the population [13].

As a result of these reforms, Finland has achieved a high level of local

self-government development, which contributes to the economic and social development of the regions and an improvement in the quality of life of the population.

Given the historical and national peculiarities and the closeness of mentality, it is necessary to pay attention to the successful long-term experience of the functioning of the local self-government system in the Republic of Turkey. This experience proves that self-government is not part of an exclusively Western European socio-political practice. An Asian country with long traditions of authoritarian rule, multinational and multi-confessional, but with a dominant Turkic population, mainly professing Islam, positively perceives this mechanism of decentralization and develops every year in an ascending line, taking into account the dynamic changes in society. The municipal structure of Turkey has a four-tier structure: at the head of each municipality (Turkish belediye, belediye) is a head or mayor elected by residents [14].

Research shows that the existing national model of local self-government and decentralization of power in Kazakhstan does not fully correspond to any of the models considered above. In this regard, it becomes necessary to identify a certain pattern.

Thus, based on the analysis, the following conclusions can be made:

1. The system of local self-government and decentralization of power in each country is formed depending on the features of the territorial structure and the general level of democratic development. The Anglo-Saxon model is characterized by a high degree of decentralization and autonomy of local self-government. They have broad powers and responsibilities for managing their territory. The continental model of local self-government, on the contrary, is a centralized system in which local self-government bodies have limited powers and are subordinate to the central government. The mixed model of local self-government combines elements of both of the above models, where local self-government bodies have broad powers, but at the same time are subject to certain laws and rules established by the central government. The system of local self-government and decentralization in Kazakhstan has some similarities with the continental model in terms of state participation at all levels of local self-government, but it does not fully correspond to either of these models.

2. Specific factors, such as the scale and unitarity of our state structure, require the development of an independent decentralization model taking into account international experience and local specifics. Poland's experience as a unitary state in the development of local territories can be used in the development of Kazakhstan's system of local budget formation. In Kazakhstan, it would be possible to implement a project to improve regional territorial governance at the level of rural districts, similar to the Finnish experience. As the experience of these countries shows, the effectiveness of reforms in the local self-government system is associated with optimal decentralization of power, financial autonomy, mechanisms for active participation of residents, improving the professional qualifications of local officials, digitalization and the introduction of innovations in the management process.

At the same time, it can be noted that the decentralization of public administration is a complex process that has certain political, economic, legal, administrative aspects and prerequisites. At the same time, it should not be overlooked that the redistribution of powers between branches and levels of government is accompanied by a weakening of state power and governance, and the growth of separatism. This is relevant in the current geopolitical situation in the world. Therefore, the process of decentralization of State functions cannot be completed in a short time. This process must be carefully thought out and analyzed and will require constant adjustment [15, 18 p.].

In our opinion, the decentralization process should go in the following directions:

1. Legislative separation of powers – between central and local authorities should be reflected in the Laws of the Republic of Kazakhstan.

2. The differentiation of political power should be: - central government bodies – ministries and departments, their structural territorial divisions; - local government bodies – bodies financed from the regional and district budgets; - local governments – local communities;

3. Division of the state budget: - the republican budget; - regional budget; - the district budget; - the budget of the LSG consisting of a program funded from the district budget, the administrators of which are the bodies of the LSG and the funds for the development of local communities created by the bodies of the LSG.

4. Determination of the levels of management appropriate for the transfer of state functions and powers: Center – region; Region – district; District – local community. Delegation of certain state powers to the local self-government bodies.

5. Legislative definition of the powers and functions of the LSG bodies.

The regional, urban and rural levels of government should become more independent and responsible in solving problems of local importance. Thus, the problem of redistribution of functions between the center and the regions, formulated as decentralization, is to optimize the powers and responsibilities between the levels of government. And in this regard, when redistributing functions in modern conditions, it is also necessary to take into account the need to maintain a balance between powers, obligations and financial support for their functions.

The IAS system in Kazakhstan consists of several levels. For example, the regional level can be considered as an intermediate link between the central and local authorities. The growing independence of the regions represents, firstly, protection from the dictates of the center; secondly, it marks democratization and, thirdly, the regions acquire the opportunity to manage their own life activities taking into account their characteristics and thereby contributes to the development of self-government as a whole. At the same time, decentralization does not automatically lead to self-government and at the same time does not destroy the principles of a rigid vertical of power [16, p. 44-46].

The priority area of administrative and budgetary reform should be the organization of effective management at the local level: districts, rural districts, towns, cities of regional significance, urban areas, primarily for institutional and functional strengthening.

"In order to successfully solve this global task in general, as L.N. Burlakov notes, it is necessary to solve several problems: first, to eliminate duplication of functions between central and local government bodies. Secondly, it is necessary to clearly delineate the subjects of competence and powers at the levels of local government. Today, the distribution of powers at the "region-district" level is not stable, it varies in different regions, and sometimes changes within the region when the akim changes [16, p. 58].

In the regional centers of some regions, individual city services are combined with regional ones and, accordingly, are reassigned to regional executive bodies. In most regions, there is a centralization of financial resources at the regional level, or the transfer of some powers to lower levels without providing them with financial resources. As a result, it turns out that responsibility for the implementation of laws on the provision of services to the population remains with the district or city level, and financing, management and control over implementation is carried out from the region. At the same time, a system of double subordination arises, blurring the responsibility of public administration for the result of work. Thirdly, it is necessary to differentiate communal property by levels of local government. Fourthly, it is necessary to create full-fledged management mechanisms at the rural, village, urban (district) level of government. To avoid duplication in the work of bodies responsible for the same area, it is possible to painlessly reduce the territorial divisions of the central executive bodies, focusing their activities on the development of regulations and on the inspection of their implementation by the relevant regional departments. According to L.N. Burlakov, "the problem of decentralization of functions in those areas where there is no "vertical" duplication is more difficult, since in most cases the regions lack the necessary administrative resources.

Therefore, due to the special importance of the issues under consideration, it is necessary to adhere to a more balanced, conservative approach when making decisions here, since the transfer of functions without appropriate readiness on the ground can lead to ineffective management and conflicts between executive bodies of different levels and maslikhats [17].

The following main features can be distinguished in the activities of LEB:

- Concentration of the LEB powers at the regional (regional) level, which does not comply with the principles of market relations and self-regulation of the economy, and concentration of uncharacteristic powers at the regional level, requiring their transfer directly to the executors at the local level (city, district, village) for the prompt fulfillment of their competencies;
- The procedure for carrying out the main functions is established in the relevant articles of the law. Separate functions in other bylaws. This indicates a lack of application, which leads to a decrease in transparency in the activities of government agencies.

The relevant articles of the law contain functions identical in meaning, but in different formulations, which make it difficult to adequately assess the objective functional load of a state agency [16, p. 58].

- Duplication of powers at various levels of management, lack of theoretical

and practical well-trained personnel (managers), especially at the regional and local levels;

- Objectively, the existing political corporate culture and the way of thinking of employees in all local government structures are lagging behind the requirements of the time;

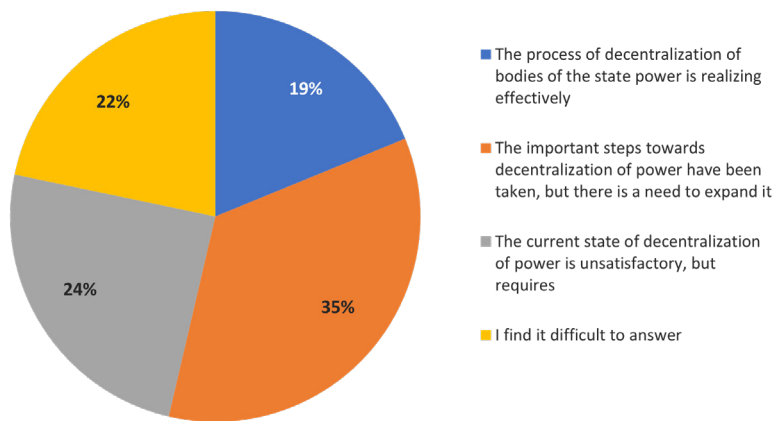
- Complex issues of timely staff rotation and overcoming ambiguous obstacles of a gerontological nature require their optimal solution.

The President of the country is taking bold steps aimed at decentralizing power, developing local government and self-government, for example, the new Concept for 2021-2025 is aimed at improving this area. The recent mayoral elections represent a significant step forward in the evolution of the electoral system and the democratization of local governance. In 2021, villages and rural districts held their first mayoral elections, followed by the first district-level elections in 2023. These developments empower citizens to directly influence the growth and progress of their communities. By establishing new, long-term principles for local governance, these elections reshape the relationship between the state and society. Local residents can now actively participate in choosing their district's leaders, understanding that their votes grant mayors the mandate to address local issues. This dynamic also holds elected officials accountable, requiring them to earn and uphold the trust of their constituents. Thus, as determined by the Head of State, the Government should become compact and professional, focused on performing the most important functions. Each ministry and department should be freed from their uncharacteristic functions, transferring them from the center to the regions and from the state to the private sector. At the same time, based on the need to adapt to rapidly changing socio-economic, financial conditions and new functional needs, there is a need to further improve the local government system, the legal and financial foundations of its functioning. To do this, it is necessary to analyze about more than 250 legislative acts and more than 8,500 functions, which will entail amendments and additions to more than 50 legislative and regulatory acts of the Republic of Kazakhstan. In accordance with the approaches of redistribution of powers, it is necessary to: - eliminate possible conflicts of interest in the activities of state bodies and local self-government bodies; - to regulate the issue of responsibility of state bodies in the redistribution of powers, on the one hand, the responsibility of sectoral ministries for the transferred sectoral function to the level of local executive bodies, on the other – the responsibility of local executive bodies for its further qualitative implementation; - when redistributing powers between levels of government, it becomes necessary to consider comprehensively the issue of transferring certain functions to a competitive environment, the redistribution of powers should be accompanied by the readiness of the relevant central and local government structures, as well as local self-government bodies to perform new functions and powers.

The author of this article conducted an expert survey among representatives of the expert community (deputies of maslikhats, akims, scientific experts, employees of local authorities) of three regions of Kazakhstan (Astana, Pavlodar and North Kazakhstan regions). The following answers were given to the question "how do

you assess the process of decentralization of power in the country": Positively, only 18.8 answered the question "The process of decentralization of public authorities is carried out effectively"%; At the same time, 34.8% of respondents noted the question: "Important steps have been taken to decentralize power, but there is a need to expand it"; 24.6% of respondents answered this question negatively - that the current state of the process of decentralization of power is unsatisfactory, it requires a systematic approach; 21.4% of respondents found it difficult to answer.

Figure 1. How do you evaluate the process of decentralization of power in the country?



As a result of the analysis of the current state of development of local government and self-government, the following problems of decentralization of power were identified:

- the process of decentralization of power is not fully implemented, local authorities do not have the legal authority to solve the problems of the local community;
- the dependence of local governments on local state executive bodies, regional akimats significantly affects the formation and decision-making of these bodies. As a result, the activities of the LSG bodies often cannot make a real contribution to solving local and regional problems;
- weak economic potential of the majority of local settlements and, as a result, low income sources of the fourth-level budget, in connection with which there is no own budget;
- chaotic migration and urbanization affect the instability of the socio-economic situation in rural settlements: they cause a negative reaction due to the closure of rural settlements and the lack of socio-economic infrastructure;

Conclusion.

Based on the analysis of the current state of decentralization of local government, the following features can be identified:

1. The structure of the system of local government and self-government in

the Republic of Kazakhstan, although consistent with Constitutional norms, has its own characteristics. For example, akimats and maslikhats, being public administration bodies, simultaneously perform the functions of state bodies and local self-government bodies.

2. When implementing a new local government structure, it is necessary to take into account the peculiarities of Kazakhstan – the unitary structure, low territorial economic potential and insufficient local budget, low activity of citizens.

3. Since the declaration of Independence, it can be noted that the political and legal framework of local government and local self-government has been formed to some extent. Political initiatives are reflected in strategic documents and a number of messages from the President of the Republic of Kazakhstan to the people. Direct elections of rural and district mayors have been carried out, conceptual provisions on holding gatherings and meetings of the local community have been adopted, independent budgets of the fourth level have been introduced. Therefore, the further development and effective implementation of the President's political initiatives directly depends on the political will of the Government aimed at actually expanding decentralization and forming its own budgets of local government and local self-government.

When studying this issue, the following problems were identified:

- the process of decentralization of power is not fully implemented, and therefore local authorities do not fully have the authority to solve regional problems;
- the dependence of LSG bodies on local state executive bodies, local akimats significantly affects the formation and decision-making of these bodies. As a result, the activities of the LSG bodies often cannot make a real contribution to solving existing formal and local problems;
- weak economic potential of most local settlements and, as a result, low income sources of the fourth-level budget;
- most local residents do not actively participate in the work of the local assembly, the reasons are related to ignorance or misunderstanding of the mechanisms of participation of this system, and at the same time, with a lack of information about the work of these bodies and skepticism and suspicion about its effectiveness prevail. Another reason is the prevailing paternalistic attitude that government agencies should solve local problems, not local communities.

The following risks have been identified that may hinder the further development of the local government system:

- due to the non-diversification of the function of local state executive bodies from the function of the LSG, local problems will not be solved in a timely manner;
- tension may arise due to the imperfection of the norms of the laws in the relationship between the established local representative bodies and the elected akims;
- lack of financial capacity of local authorities to fully exercise their powers to solve local problems, including popularly elected akims;

Based on the study of international experience and the opinion of domestic experts, taking into account the current situation, problems and possible risks, prospects for the development of local government and self-government in the

Republic of Kazakhstan, the following recommendations can be identified:

1. In the process of decentralization of power, it is necessary to delineate competencies between local akimats (executive bodies) and maslikhats (representative bodies) of all levels and central bodies in a legislative manner. In this regard, the powers of local executive and representative bodies should be differentiated from the state management function.

2. Decentralizing public administration requires broadening the responsibilities of district, rural, township, and urban governments. This approach enhances their accountability for the living standards and quality of life within local communities, aligns better with regional and local interests, improves funding mechanisms, and optimizes resource use to drive economic growth and improve living conditions. However, such reforms will be ineffective without increasing local governments' accountability to the people and reducing the central government's paternalistic approach to local development. A notable step forward was the introduction of direct mayoral elections in districts and villages in 2022 and 2023.

3. All the functions and tasks of the LSG bodies can be combined into three main groups:

Firstly, a comprehensive solution to all issues related to the daily needs of the population (water supply, land use, construction and maintenance of roads, ecology, landscaping and landscaping, etc.), which are within the direct competence of local governments.

Secondly, a comprehensive solution to problems in the social sphere. In the implementation of this function, assign education, health, culture, support for low-income segments of the population, employment, etc. Taking into account the emerging new problems of the territory's development, it is necessary to develop competencies in coordination with the relevant authorities.

Thirdly, efforts should focus on enhancing territorial development programs and budgets, enabling local communities to take responsibility for their future growth by leveraging their own resources and capabilities. To achieve this, it is essential to refine the regulatory framework governing organizational, legal, inter-budgetary, and financial-economic aspects of local development. Additionally, new powers and responsibilities must be defined and assigned to local government and self-governing bodies.

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