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DECENTRALISATION AND LOCAL SELF-GOVERNMENT: THE FUNDAMENTAL AXIS OF THE REFORM OF LOCAL PUBLIC ADMINISTRATION IN THE REPUBLIC OF MOLDOVA

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Abstract
This article examines the importance of decentralisation and local self-government in the context of local public administration reform in the Republic of Moldova.
Decentralisation and local self-government constitute the substantive axis of local public administration reform. In the context of reform in the Republic of Moldova, they must represent both its foundation and its ultimate objective. They form the foundation because they determine how powers, resources and responsibilities are distributed between central and local government, in accordance with the principle of subsidiarity and the requirements of local democracy. At the same time, they constitute the reform's ultimate objective, since institutional, territorial and functional changes should culminate in autonomous local authorities capable of effectively managing public affairs in the interests of the communities they represent.
The article analyses the incoherence and insufficiency of decentralisation processes in the Republic of Moldova. These shortcomings underlie the functional problems of local public administration and result directly from the flawed implementation of effective decentralisation in all its forms; ultimately, they have decisively influenced, and continue to influence, the low recorded level of local self-government.
In the context of the discussions and debates on an optimal and efficient model of local public administration reform, asymmetric decentralisation may offer an effective means of steering reform in the optimal direction. In the Republic of Moldova, it may have a dual meaning and application: first, as a pragmatic instrument for adapting decentralisation to differences in the actual capacity of administrative-territorial units;

and second, as a political and institutional mechanism for integrating Gagauz autonomy within the unitary state.
Local self-government is the ultimate objective of reform because it expresses the intended outcome: local authorities possessing both the right and the effective capacity to manage a substantial share of public affairs in the interests of local communities. The article demonstrates that the direct relationship between decentralisation and local self-government should be understood as one between means and ends. Decentralisation provides the instruments of reform, while local self-government embodies its intended result: a functional and accountable local administration that is close to citizens and capable of responding to community needs.
From the perspective developed in this article, local public administration reform cannot be reduced to administrative-territorial reorganisation or the amalgamation of administrative-territorial units. Changes to the territorial structure may serve as an instrument of reform, but they do not constitute its essence.
The essence of reform lies in clarifying powers, securing financial resources and assets, strengthening administrative capacity and guaranteeing the decision-making freedom of local authorities. Only when these conditions are met can local self-government become effective and decentralisation produce tangible improvements in public service quality and the development of local communities.
Keywords: *local public administration; reform; decentralization; local self-government; asymmetric decentralization.*
JEL Classification: H77; H83; R58.

1. INTRODUCTION

From a conceptual and theoretical perspective, local public administration reform is a complex process involving the political, legal, organisational and functional transformation of the manner in which public authority is exercised at territorial level. Although the constitutional and legal framework of the Republic of Moldova recognises the principles of local self-government and decentralisation, administrative and institutional practice demonstrates that local authorities do not yet enjoy full autonomy and that decentralisation has not become a sustainable, coherent and irreversible process.

In the context of local public administration reform in the Republic of Moldova, ***decentralisation and local self-government must constitute both the foundation and the ultimate objective of the reform process.*** They form the foundation because they determine how powers, resources and responsibilities are distributed between central and local government, in accordance with the principle of subsidiarity and the requirements of local democracy. At the same time, they constitute its ultimate objective, because institutional, territorial and functional changes should culminate in autonomous local authorities capable of effectively managing public affairs in the interests of the communities they represent.

2. DECENTRALISATION AS THE FOUNDATION AND ULTIMATE OBJECTIVE OF LOCAL PUBLIC ADMINISTRATION REFORM

Decentralisation is the foundation of reform because it establishes the organising principle governing relations between central public authorities and local communities. It requires a substantial share of public affairs to be managed at the level closest to citizens whenever that level has the capacity to perform those functions effectively.

According to the OECD, decentralisation refers to the transfer of powers and responsibilities from central government to elected authorities at subnational level, including regional authorities and municipalities, which enjoy a degree of autonomy. It also entails reshaping relations between central and local government so that national or federal governments assume a more cooperative and strategic role. Decentralisation is multidimensional, encompassing distinct but interconnected political, administrative and fiscal dimensions. The political dimension concerns elected authorities with decision-making and implementation powers; the administrative dimension covers responsibilities and functions, personnel and assets; and the fiscal dimension includes an authority's own budget and accounts, together with adequate revenue-raising and expenditure powers. These dimensions are interdependent: fiscal decentralisation cannot, or should not, exist without political and administrative decentralisation. Conversely, political and administrative decentralisation are meaningless in the absence of fiscal decentralization (OECD, 2019).

Through decentralisation, central public administration does not relinquish its overall responsibility; rather, it distributes powers rationally between central and local levels. Central government should retain functions of national interest, including regulation, coordination, review of legality and the guarantee of minimum standards, while local authorities should exercise powers directly affecting community life: municipal services, local development, local infrastructure, spatial planning, local assets, certain social services and other matters of local interest.

In this respect, ***decentralisation constitutes the foundation*** of reform because it answers at least several essential questions:

- *Who should take decisions, and at what level should public functions be exercised?*
- *What are the relevant powers, functions and services, and how should responsibility for them be allocated across levels of government?*
- *What resources are required to exercise those powers, and what is the nature of those resources?*

Without decentralisation, local public administration reform risks becoming a mere administrative restructuring exercise. Territorial boundaries may be altered and institutions may be reduced in number or merged; however, if

decision-making, resources and responsibility remain concentrated at central level, local administration becomes neither more autonomous nor more efficient.

The decentralisation process is currently the subject of extensive debate in Moldovan society. The central question concerns the place and role of decentralisation within the broader reform of public administration. Adopted in 2012, the National Decentralisation Strategy was the principal policy document governing local public administration; it set out national mechanisms for decentralisation and for ensuring genuine local self-government. The true indicator of how decentralisation has been implemented in the Republic of Moldova is the low degree of implementation of the National Decentralisation Strategy (Parliament of the Republic of Moldova, 2012). The difficult institutional and functional situation confronting local authorities today can be explained precisely by the failure of the decentralisation process. It is therefore crucial to understand decentralisation as an ultimate objective of reform. If we failed to understand decentralisation, or could not or would not use it as the foundation of reforms in local public administration, then let us consider what a reformed and "sufficiently" decentralised system of local public administration should potentially look like.

As an ***ultimate objective***, decentralisation is not limited to the formal transfer of functions from central to local authorities. It is reflected in the actual capacity of local administration to make decisions, manage resources and deliver public services efficiently, responsibly and in a manner adapted to community needs.

Accordingly, decentralisation as an ultimate objective of reform requires a balance between powers, resources and accountability. Reform can be regarded as genuinely decentralised only when local authorities possess not merely statutory functions, but also sufficient financial resources, assets, qualified personnel and effective decision-making freedom. In the absence of these elements, decentralisation remains declaratory or incomplete.

At institutional level, decentralisation is reflected in local authorities that are capable of exercising their own powers without excessive intervention by central government. This requires a clear division of responsibilities between levels of government, fewer institutional overlaps and stronger mechanisms for cooperation between central and local administration.

At functional level, decentralisation is expressed through local public services that are more accessible, of higher quality and better adapted to territorial realities. Citizens do not experience decentralisation through legal formulations but through tangible results: maintained local roads, functioning social services, community infrastructure, access to education, water, sanitation and transport, and opportunities for local development.

At democratic level, decentralisation strengthens the accountability of local authorities to their communities. Decisions are taken closer to their

beneficiaries, and citizens can exercise more direct oversight of the use of public resources. In this sense, decentralisation also becomes a mechanism for strengthening local democracy.

It should nevertheless be reiterated that no state is either completely centralised or completely decentralised. The path towards decentralisation as an ultimate objective is therefore permanent and continuous, just as reform itself is. We can identify with some precision when a reform is initiated and launched, but we cannot assume that, once formally completed, its effects will remain sustainable over the long term. Reforms - decentralisation among them - and in particular reforms in public administration, are a continuous and adaptive process shaped by the political, economic and social contexts of a society.

3. THE INCOHERENCE OF THE DECENTRALISATION TRAJECTORY IN THE REPUBLIC OF MOLDOVA

The discourse on decentralization has maintained a fluctuating presence on the public and political agenda of the Republic of Moldova. Following a period of heightened interest between 2012 and 2015, the issue entered a phase of declining political relevance during 2015-2026.

The National Decentralisation Strategy, approved by the Parliament of the Republic of Moldova in 2012 and extended until 2018, was a broad and comprehensive policy document intended to serve as the principal reference for local public administration policies. It established national decentralisation mechanisms designed to ensure genuine local self-government. Nevertheless, representatives of central government themselves acknowledge that no more than 50 per cent of the Strategy's action plan was implemented.

An important step towards reforming local public finance was taken in 2014-2015 through the introduction of a clear formula for equalisation transfers and a reduction in the scope for districts to interfere in the distribution of public funds. This achievement was, however, overshadowed by the reintroduction of caps on local taxes and by other fiscal reforms that adversely affected local budgets, including changes concerning taxes on natural and legal persons and tax amnesties.

Whereas decentralisation and local self-government were formulated as distinct priorities in earlier government programmes, subsequent government documents addressed these objectives only marginally.

This trend is also reflected in the limited activity of the Joint Commission for Decentralisation, the principal platform for coordinating decentralisation reform. The Commission operates largely as a formality and is convened infrequently, even though the legal framework requires an active mechanism for dialogue between central and local authorities.

In Recommendation 436 (2019), the Congress of Local and Regional Authorities of the Council of Europe found that the National Decentralisation

Strategy and the Roadmap for the implementation of Recommendation 322 (2012), jointly endorsed by the Congress and the Government of the Republic of Moldova, had been implemented only to a limited extent (Congress of Local and Regional Authorities, 2019). The Congress also warned of the risk that recentralisation tendencies could erode local self-government and noted the incomplete implementation of its earlier recommendations.

The 2025 recommendations of the Congress of Local and Regional Authorities of the Council of Europe on the state of local democracy in the Republic of Moldova identify certain advances, including improved dialogue between central and local authorities, measures to strengthen fiscal decentralisation and a commitment to administrative-territorial reform. Important structural problems nevertheless persist: an unclear division of powers, overlapping responsibilities, limited financial autonomy and an excessive administrative burden on local authorities.

Taken as a whole, Council of Europe assessments show that decentralisation in the Republic of Moldova remains incomplete and must be deepened. In accordance with European standards of local democracy, local authorities must have clearly defined powers, adequate resources and genuine autonomy if they are to perform their functions effectively.

4. ASYMMETRIC DECENTRALISATION IN THE CONTEXT OF LOCAL PUBLIC ADMINISTRATION REFORM

The experience of contemporary states demonstrates that no single model of decentralisation exists. Even among unitary states with similar political systems, considerable cultural and historical diversity exists between regions of the same country. A broader analysis also reveals differences in the administrative and institutional capacities of local authorities, the level of economic development of administrative-territorial units, the dynamics of local politics, and natural conditions and resources. Political, administrative and financial approaches should therefore be tailored to each local authority and administrative-territorial unit in the light of existing objective conditions and the aims pursued.

Under these circumstances, asymmetric decentralisation - a design adapted to different regions - may constitute a reasonable solution. Its application may be more likely in unitary states, since federal states tend to grant broader, and potentially full, autonomy to their subnational governments. Unitary states may apply several forms of decentralisation, including extended, limited and special autonomy. The Republic of Moldova provides an example through the Autonomous Territorial Unit of Gagauzia.

Asymmetric decentralisation is therefore present when two or more forms of decentralisation are implemented simultaneously for different administrative-territorial units within the same state.

Asymmetric decentralisation is not a departure from the fundamental idea of decentralisation. Rather, it strengthens the objectives of decentralisation by increasing the effectiveness and efficiency of public authorities and reinforcing local democracy. In this case, local power is strengthened by preserving the specific characteristics, potential, needs, and socio-historical context of the community.

Moreover, taking into account the unique political, social, and cultural profile of each region, asymmetric decentralization can act as a targeted strategy to mitigate regional issues for the national government. Contemporary states therefore use decentralisation not only as a political strategy for transferring power from the centre to regional and local levels, but also as a mechanism for achieving balance between levels of government. This new balance could be achieved by reducing state intervention and expanding the operational autonomy of regional and local authorities (Palihovici, 2024).

An analysis of the principal trends in local-level change across several contemporary countries indicates that new models for the territorial organisation of public authority tend to favour asymmetric arrangements (Cornea, 2019).

In contrast to the homogeneous structure of the Napoleonic state, contemporary organisational change has placed a multitude of new actors alongside traditional authorities - the state, regions and municipalities - resulting in differentiated forms of legal recognition. Specific rules have emerged for urban areas, including capital cities. Associations of municipalities seek the geographic scale necessary to fully exercise their statutory competencies. This asymmetry is reinforced in many decentralised states by allowing regions to shape the local government system. The broad regulatory powers exercised by regions in local matters also mean that local government may assume different forms within a single state (Nogueira Lopez, 2007).

Asymmetric decentralisation may provide a mutually beneficial solution to conflicts between advocates of a unitary state and proponents of separatism. Its application does not necessarily transform the basic political structure of a unitary state into a federation. Because the principal objective is to improve the quality of public services for people, the opposition between unitary and federal states, or between decentralised and deconcentrated systems, is no longer relevant. The essential point is that both unitary and federal states have equal opportunities to promote asymmetric decentralization (Utomo, 2009).

Asymmetric decentralisation makes it possible to channel local separatism into constructive dialogue and thereby to prevent the disintegration of the state under the pressure of centrifugal tendencies. Responding to concerns that decentralisation might encourage separatism in Ukraine, Gianni Buquicchio, then President of the Venice Commission, stated that decentralisation is, rather, an alternative to separatism (UBR.ua, n.d.).

For the Republic of Moldova, asymmetric decentralisation may have a dual meaning and application: on the one hand, as a pragmatic instrument for adapting decentralisation to differences in the actual capacity of administrative-territorial units; and, on the other, as a political and institutional mechanism for integrating Gagauz autonomy within the unitary state.

5. ASYMMETRIC DECENTRALISATION IN THE CONTEXT OF ADMINISTRATIVE-TERRITORIAL REORGANISATION

In the Republic of Moldova, asymmetric decentralisation should not be understood exclusively as a special regime granted to territories with a distinct identity, but also as a functional solution for managing objective differences between localities.

Any future administrative-territorial reorganisation is likely to produce a new local architecture comprising larger administrative-territorial units with greater populations and stronger fiscal and administrative foundations, alongside smaller local administrations with limited resources. In this context, assigning the same powers uniformly to all local authorities could generate further inequality: stronger localities would be better placed to benefit from decentralisation, while vulnerable ones could remain dependent on transfers, technical assistance and intervention by central government.

Asymmetric decentralisation may therefore operate as a mechanism for the rational differentiation of powers. Localities or municipalities with strong administrative capacity could receive broader powers in areas such as local economic development, asset management, urban planning, infrastructure, public services and investment attraction. Units with lower capacity, by contrast, could benefit from a gradual regime based on core powers, shared services, intermunicipal cooperation and institutional support from the state.

Asymmetric decentralisation would thus make it possible to avoid two major risks: first, formal decentralisation, whereby functions are transferred without the necessary resources and capacity; and second, excessive recentralisation justified by the inability of some local authorities to manage complex responsibilities. An asymmetric model would allow decentralisation to be differentiated, phased and conditional upon the effective capacity of local authorities.

6. ASYMMETRIC DECENTRALISATION IN THE CASE OF GAGAUZ AUTONOMY

In the Autonomous Territorial Unit of Gagauzia, asymmetric decentralisation has a distinct dimension. The issue is not confined to administrative differences or institutional capacity; it also concerns a special autonomy regime with a legal and political foundation. Law No. 344/1994 establishes Gagauzia as an autonomous territorial unit with a special legal status

within the Republic of Moldova, while the legal framework of autonomy expresses the Gagauz population's right to internal self-determination within the constitutional limits of the state.

From this perspective, asymmetric decentralisation may be regarded as an instrument of political integration and prevention of separatism. It makes it possible to recognise Gagauzia's identity-related, linguistic, cultural and institutional specificities without transforming the Republic of Moldova into a federal state. In other words, special autonomy preserves the unitary character of the state while introducing differentiated self-government mechanisms for a territory with its own political and identity profile.

If applied coherently, asymmetric decentralisation can shift local claims from a logic of confrontation to one of institutional negotiation. Rather than treating tensions between the centre and the autonomy exclusively as security risks or manifestations of separatism, they can be managed through dialogue, clarification of powers, mandatory consultation mechanisms and reciprocal legal guarantees. In this sense, the proposition that decentralisation is an alternative to separatism is relevant to the Republic of Moldova, including in its relationship with Gagauzia.

Asymmetric decentralisation should not, however, be equated with unlimited autonomy. It requires a balance between recognition of regional specificities and respect for the constitutional framework of the state. In Gagauzia, the principal problem is not a total absence of autonomy, but the incomplete, ambiguous and at times strained operation of cooperation mechanisms between central and autonomous authorities. Asymmetric decentralisation should therefore seek not an arbitrary expansion of powers, but their clarification, the avoidance of overlaps and the strengthening of institutional channels for dialogue.

7. THE RELATIONSHIP BETWEEN DECENTRALISATION AND LOCAL SELF-GOVERNMENT

Decentralisation and local self-government are distinct but inseparable concepts. Decentralisation is the process through which powers, resources and responsibilities are transferred to the local level, while local self-government is the institutional and functional condition resulting from effective decentralisation.

The relationship between decentralisation and local self-government should be understood as one between means and ends. Decentralisation provides the instruments of reform, while local self-government embodies the intended result: a functional and accountable local administration that is close to citizens and capable of responding to community needs.

For the Republic of Moldova, strengthening this relationship requires not only the transfer of powers, but also adequate resources, administrative capacity,

institutional clarity and effective legal protection of local self-government. Where decentralisation is incomplete, local self-government remains formal. Where local self-government is merely formal and lacks legal protection, decentralisation may be ineffective, reversible or subject to excessive control by central government.

This relationship is especially important in the Republic of Moldova because many problems confronting local administration arise not only from the small size of administrative-territorial units, but also from the imbalance between powers and resources, financial dependence on the centre, weak administrative capacity and ambiguity in relations between levels of public administration.

In other words, the functional problems of local public administration in the Republic of Moldova result directly from the flawed implementation of effective decentralisation in all its forms, which has ultimately contributed, and continues to contribute, decisively to the persistently low level of local self-government.

8. LOCAL SELF-GOVERNMENT AS A PRINCIPLE AND ULTIMATE OBJECTIVE OF LOCAL PUBLIC ADMINISTRATION REFORM

Under Article 3(1) of the European Charter of Local Self-Government (Council of Europe, 1985), local self-government denotes the right and the ability of local authorities, within the limits of the law, to regulate and manage a substantial share of public affairs under their own responsibility and in the interests of the local population.

The European Charter of Local Self-Government guarantees local authorities the right and effective ability, within the limits of the law, to regulate and manage a substantial share of public affairs under their own responsibility and in the interests of the local population. This right is also enshrined in the Constitution of the Republic of Moldova, Law No. 435-XVI of 28 December 2006 on administrative decentralisation and Law No. 436-XVI of 28 December 2006 on local public administration. These acts establish that local public authorities enjoy decision-making, organisational and financial-management autonomy, have the right of initiative in all matters concerning the administration of local public affairs, and exercise their authority, in accordance with the law, within the territory under their administration.

Local self-government should not, however, be understood merely as a "certain kind of formal independence" on the part of local authorities. It is expressed through at least four dimensions:

- *decision-making autonomy - local authorities may adopt their own decisions in matters falling within local competence;*
- *financial autonomy - local authorities have sufficient and predictable revenues;*

- *asset-related autonomy - local authorities may manage community assets;*
- *organisational autonomy - local authorities may organise their administrative apparatus according to local needs, within the limits of the law.*

At the same time, a clear distinction must be drawn between formal or declaratory autonomy and effective autonomy.

Formal autonomy exists where the law recognises certain powers of local authorities, but those powers cannot be exercised in practice because of insufficient resources, personnel, assets or administrative capacity. This paradigm in fact describes the current state of local self-government in the Republic of Moldova.

Effective autonomy exists where local authorities possess all the elements required to act:

- *clearly defined powers;*
- *proportionate financial resources;*
- *local assets;*
- *qualified personnel;*
- *access to information and technology;*
- *decision-making freedom;*
- *protection against unjustified interference;*
- *limited and proportionate review of legality.*

Local public administration reform must seek to move from declaratory to effective autonomy. This is one of the most important implications of the paradigm according to which decentralisation and local self-government constitute both the foundation and the ultimate objective of reform.

Local self-government is the ultimate objective of reform because it embodies the intended outcome: local authorities possessing the right and the effective capacity to manage a substantial share of public affairs in the interests of local communities.

At the same time, local self-government should not be interpreted as "isolation from the state" or as "absolute freedom of decision". Whatever form it takes, local self-government operates within the unitary state and requires a balance between national and local interests. The state retains its role as guarantor of legality, territorial cohesion and minimum quality standards in the provision of public services. This role must not, however, become excessive control or indirect recentralisation, as has occurred, and continues to occur, in Moldova in relation to health, social assistance and education services.

Debate on local public administration reform often tends to equate reform solely with changes to the administrative-territorial structure: reducing the number of mayoralties, amalgamating localities, reorganising districts or creating regional structures.

Such measures may be necessary, but they are not sufficient. A larger mayoralty is not automatically more autonomous. A reorganised district is not automatically more efficient. A new administrative map does not guarantee better public services unless it is accompanied by genuine decentralisation, adequate funding and a clear division of powers.

The comparative study „Patterns of Local Autonomy in Europe" (Ladner et al., 2019), shows that local autonomy is influenced more strongly by institutional mechanisms and levels of citizen trust than by the size of territorial units or structural reforms. Territorial reforms, including mergers of administrative-territorial units, do not automatically guarantee an increase in local autonomy. Local autonomy is instead positively associated with system performance, particularly financial autonomy, a broader range of policy responsibilities and the discretionary authority of local government.

9. CONCLUSIONS

From this perspective, local public administration reform cannot be reduced to administrative-territorial reorganisation or the amalgamation of administrative-territorial units. Changes to the territorial structure may serve as an instrument of reform, but they do not constitute its essence.

In conclusion, the essence of reform lies in clarifying powers, securing financial resources and assets, strengthening administrative capacity and guaranteeing the decision-making freedom of local authorities. Only when these conditions are met can local self-government become effective and decentralisation produce tangible improvements in public service quality and the development of local communities.

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