

## **Analysis of Legislation and Issues Related to Territorial Organization of Local Self-Government in Leningradskaya Oblast**

### **1. Territorial organization of local self-government in Leningradskaya Oblast**

In accordance with Article 131 of the Constitution of the Russian Federation, local self-government is exercised in the Russian Federation in urban and rural settlements as well as in other territories considering their historic and other local traditions. Hence, in accordance with the Constitution of the Russian Federation, settlements constitute the basic level of organization of local self-government in the Russian Federation.

Article 4 of the European Charter of Local Self-Government, which is an integral part of the Russian legal system, establishes that public responsibilities shall generally be exercised, in preference, by those authorities which are closest to the citizen.

Prior to the passage of the Federal Law No. 131-FZ “On General Principles of Organizing Local Self-Government in the Russian Federation” of October 6, 2003 (further referred to as the Federal Law No. 131-FZ), the homonymous Federal Law No.154-FZ of August 28, 1995 (further referred to as the Federal Law No. 154-FZ) was the main legislative act which regulated legal relations in the field of local self-government in the Russian Federation.

In accordance with the Federal Law No. 154-FZ, the right to select a regional system of territorial organization of local self-government was vested in regional authorities. Three key schemes of territorial organization of local self-government were developed in Russian regions (“Subjects” of the Russian Federation) under the abovementioned Federal Law.

In 2001, local self-government was exercised in 47 regions within administrative-territorial boundaries of municipal districts and large cities. In 22 regions local self-government was contemporaneously exercised in municipal districts, large cities, rural okrugs and villages. In 8 regions local self-government was solely exercised within rural okrugs and villages. In the remaining 12 regions municipal authorities were either lacking or self-government was exercised in the form of territorial public self-government within urban and rural settlements and some cities, as well as in the form of local-level public administration with participation of elective representative bodies.

Pursuant to the Federal Law No. 154-FZ, *a one-tier model of territorial organization of local self-government* was developed by the public authorities of Leningradskaya Oblast. As a result, 29 municipalities, including 17 municipal districts within territories of former administrative districts of Leningradskaya Oblast, 10 cities, Kuznechnoe village and Koltushkaya volost, were created.

It should be noted that none of the three models of territorial organization of local self-government developed under the Federal Law No. 154-FZ are without drawbacks. For instance, if self-government is exercised only in municipal districts and large cities, residents miss out on the key advantages of local government, that is proximity and accessibility. Wherever diverse (various-level) municipalities vested with identical competencies exist in the same territory, an effective system of inter-fiscal relations cannot be developed. If local self-government is exercised only at the level of settlements, the quality and effectiveness of efforts aimed at settling general (inter-municipal) matters decline sharply. It was not feasible to organize local self-government in all urban and rural settlements. In some settlements where local self-government was organized on the basis of the system of former rural

administrations, municipal authorities often lacked the competencies or financial capacities required to settle matters of local competence. Altogether, this resulted in an infringement of citizens' constitutional right to the implementation of local self-government.

A vital necessity arose therefore, due to these circumstances and with a view to organizing effective local self-government, to implement a comprehensive reorganization that would influence the organizational, territorial and competential framework of local self-government. The Federal Law No.131-FZ was the key legislative act aimed at ensuring implementation of the reform of local self-government.

Provisions of Article 131 of the Constitution of the Russian Federation, in accordance with which local self-government shall be exercised in urban and rural settlements as well as in other territories taking into consideration their historic and other local traditions, are at the heart of the concept of territorial organization of local self-government, which is defined in the Federal Law No. 131-FZ. Hence, Article 131 of the Constitution of the Russian Federation combines two approaches to territorial organization of local self-government, namely the settlement-based approach and the territorial approach. In accordance with *the settlement-based approach*, organization of territorial local self-government should be set up within boundaries of urban and rural settlements, while *the territorial approach* states that organization of local self-government ought to be set up within the boundaries of a territorial entity which has been formed administratively as a result of administrative or territorial subdivision (municipal district or city okrug). The concept proposed in the Federal Law No. 131-FZ is therefore aimed at developing a two-tier system of territorial organization of local self-government in Russian regions, where the first tier is comprised of urban and rural municipalities and the second one, of municipal districts and city okrugs (cities of federal significance are not the object of the current study). The Federal Law No.131-FZ takes into consideration the various aims of settlements and municipal districts and hence fixed lists of matters of local competence pertaining to each level and status of municipalities have been formed: municipal authorities of settlements settle issues directly related to the vital functioning of citizens residing within their boundaries, while municipal authorities of municipal districts deal with inter-municipal tasks. Cities which are not part of other municipalities and are autonomous municipalities in themselves are granted city okrug status and may exercise competencies pertaining both to a settlement and a municipal district. A number of individual public competencies are delegated predominantly to municipal districts and city okrugs.

The Federal Law No. 131-FZ sets quite strict requirements for regional and municipal authorities regarding creation of municipalities, establishment and alteration of their boundaries, the vesting of municipalities with rights appropriate to their status and reorganization of municipalities. Special attention is devoted to legal groundwork for citizens' direct participation in the settlement of matters related to alteration of municipal boundaries and reorganization of municipalities.

In accordance with requirements set out in the Federal Law of October 6, 2003, a two-tier model of territorial organization of local self-government has been developed in Leningradskaya Oblast. The number of municipalities of Leningradskaya Oblast has risen from 29 to 222, that is by 7.6 times.

The structural and quantitative composition of municipalities of Leningradskaya Oblast which were created in accordance with the Federal Law No. 131-FZ is illustrated in the table.

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#	Municipality Type	Number
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1.	Rural settlements	142
2.	Urban settlements	62
3.	Municipal districts	17
4.	City okrugs	1
	Total:	222

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The municipality “Kingiseppsky municipal district” and 11 first-tier municipalities, including Kingiseppskoe and Ivangorodskoe urban settlements as well as Bolshelutskoe, Vistinskoe, Kotelskoe, Kuzemkinskoe, Nezhnovskoe, Opolyevskoe, Pustomerzhskoe, Ust-Luzhskoe and Falileevskoe rural settlements, were created in Kingiseppsky district.

As a result of the reform in the field of territorial organization of local self-government which was implemented in Leningradskaya Oblast in accordance with the Federal Law No. 131-FZ, municipal power vested in municipal authorities got closer to and became more accessible for local population. Municipal authorities were in turn given the opportunity to make more comprehensive use of the potential of local communities and involve residents in the settlement of matters related to their vital functioning.

## **2. Grounds for the reorganization of municipalities**

Proper territorial organization of local self-government is vital to the effective functioning of local self-government and predetermines its competential, organizational and financial framework.

The totality of municipalities in Russian regions is quite flexible, because various reasons lead to creation of new municipalities, reorganization and dissolution of a number of existing municipalities, alteration of their boundaries and other considerable changes in their status.

While such forms of reorganization of municipalities as division of municipalities or change of an urban settlement’s status when it is granted city okrug status or deprived of city okrug status as provided for in the Federal Law No. 131-FZ may result, to a large extent, from a need to optimize the territorial system of local self-government, mergers of municipalities may be primarily caused by economic reasons.

The concept of the two-tier system of local self-government and emergence of settlement-level municipal authorities are based on the principle of ‘minor territories management,’ under which public authorities show maximum contactability and accessibility, which, in turn, leads to authority figures’ increased accountability and responsibility to population.

Economic self-sufficiency of a given territory is the flip side of this model. If a territory’s resources will suffice to meet its needs by less than 50%, it is considered economically baseless. Therefore, availability of local resources is among indicators that verify the appropriateness of territorial organization of local self-government. If this is not the case, administrative and financial expenditures associated with minor territories management

increase sharply. The level of infrastructure development – roads, communications, electric networks, availability of social objects – is also important in this context.

In many instances bordering municipalities barely use their potential to benefit their residents or facilitate their own development. Some settlements have substantial productive potential, whereas their neighbors do not, yet the latter may have considerable land resources.

In the case of a merger of such settlements lasting development perspectives on the use of these resources, along with a quality living environment and an active local community, will be ensured. A merger will help improve the quality of residents' lives and, through creation of favorable living conditions and propitious conditions for economic activity, business development and investment attraction, bring them in line with required standards.

The merging of settlements' taxable database may greatly benefit population and the social field. Due to the merging of municipal budgets, it becomes possible to settle financial matters related to implementation of large-scale investment projects with more ease and effectiveness. The merging also helps solve the problem of ensuring maximally comfortable migration of manpower from one settlement to another. Also, an increase in population as a result of a merger increases settlements' potential for development. Due to the economic growth in a newly created municipality, an additional basis for the development of small businesses is created: as income levels of citizens residing in developed economies rise, so does the demand for activities of organizations operating in the field of commerce and services. A merger of settlements creates opportunities for planning the development of a given territory on the basis of a uniform plan.

A draft regional law "On the Merger of Svetogorskoe and Lesogorskoe Urban Settlements of Vyborgsky Municipal District of Leningradskaya Oblast" has been developed in Leningradskaya Oblast.

The need to develop this draft law and adopt a regional law on the merger of Svetogorskoe and Lesogorskoe urban settlements stems primarily from the abovementioned economic reasons.

Svetogorskoe and Lesogorskoe urban settlements share a common border, while the distance between Svetogorsk town and Lesogorsky urban village is less than 2 kilometers. Svetogorsk town has substantial productive potential – represented primarily by Svetogorsk pulp and paper plant – and lacks vacant land for further expansion of production, whereas Lesogorskoe urban settlement lacks a well-developed productive capacity and yet has some unexploitable vacant land.

On March 2, 2008, residents of both urban settlements voted for a merger of Svetogorskoe and Lesogorskoe urban settlements into a single Svetogorskoe urban settlement with an administrative center in Svetogorsk town. Results of the voting were sent to the head of the Administration of Vyborgsky municipal district of Leningradskaya Oblast. In fact, the draft law "On the Merger of Svetogorskoe and Lesogorskoe Urban Settlements of Vyborgsky Municipal District of Leningradskaya Oblast" was developed as a result of him filing an application to the Administration of Leningradskaya Oblast.

Currently, municipalities of Leningradskaya Oblast are voicing the following proposals regarding territorial reorganization:

- Volosovsky municipal district: on the merger of Klopitskoe and Gubanitskoe rural settlements, Rabitskoe rural settlement with either Bolshevrudskoe rural settlement or Volosovskoe urban settlement;

- Vsevolzhsky municipal district: on the merger of Sheglovskoe and Romanovskoe rural settlements, Yukkovskoe and Agalatovskoe rural settlements, Novodevyatkinskoe and Murinskoe rural settlements, Razmetelevskoe and Koltushinskoe rural settlements;

- Vyborgsky municipal district: on the merger of Sovetskoe and Vysotskoe urban settlements;
- Kingiseppsky municipal district: on the division of Nezhnovskoe rural settlement with partial annexation of its territory to Vistinskoe and Kotelskoe rural settlements;
- Luzhsky municipal district: on the merger of Oredezhskoe, Tesovskoe and Torkovichskoe rural settlements, on the dissolution of Luzhskoe urban settlement with transfer of its functions to Luzhsky municipal district;
- Slantsevsky municipal district: on the merger of Vyskatskoe, Novoselskoe and Chernovskoe rural settlements, on the merger of Slantsevskoe urban settlement and Gostitskoe rural settlement.

### **3. Procedures for the reorganization of municipalities**

The process of reorganizing municipalities requires legal regulation, and it is not by chance that a number of norms of the Federal Law No. 131-FZ are aimed at regulating this process.

In accordance with Paragraph 1, Article 13 of the Federal Law No. 131-FZ, rehabilitation of municipalities may involve a merger of municipalities, division of municipalities or change of an urban settlement's status when it is granted city okrug status or deprived of city okrug status.

A merger of municipalities implies incorporation of two or more municipalities into a single new municipality, while the rights and responsibilities of each municipality undergoing merger are transferred to the newly created municipality.

Division of municipalities involves division of a single municipality into two or more municipalities.

Reorganization of municipalities is implemented on the initiative of regional residents as well as municipal, regional or federal authorities on the basis of regional laws. Residents' initiative for the reorganization of a municipality is implemented in accordance with procedures established for the filing of initiatives for the conduction of local referenda by the Federal Law "On Basic Guarantees of Electoral Rights and the Right of Citizens of the Russian Federation to Participate in a Referendum" of June 12, 2002 (further referred to as the Federal Law No. 67-FZ ) and regional laws adopted in accordance with this federal law. Initiatives of municipal or public authorities for the reorganization of a municipality are formally approved through resolutions issued by relevant municipal and public authorities. The regional law governing the reorganization of a municipality must not be made effective during electoral campaigns for electing a municipal authority in a given municipality or during local referendum campaigns.

Mergers of two or more settlements entailing no changes to boundaries of other municipalities are implemented with the consent of residents of each settlement, which, in accordance with Section 3, Article 24 of the Federal Law No. 131-FZ, ought to be expressed through voting on the alteration of the municipality's boundaries, reorganization of the municipality or during citizens gatherings

Mergers of two or more municipal districts entailing no changes to boundaries of other municipalities are implemented considering opinions of their residents, which ought to be expressed by representative bodies of each municipality undergoing merger.

Division of a settlement entailing creation of two or more settlements is implemented with the consent of residents of each settlement, which, in accordance with Section 3, Article 24 of the Federal Law No. 131-FZ, ought to be expressed through voting on the alteration of

the municipality's boundaries, reorganization of the municipality or during citizens gatherings.

Division of a municipal district is implemented considering opinions of its residents, which should be expressed by a representative body of a given municipal district.

An alteration of an urban settlement's status when it is granted city okrug status or deprived of city okrug status is implemented in accordance with a regional law with the consent of residents of a given urban settlement and residents of the municipal district from which the urban settlement secedes (to which it is annexed). As provided for in Section 3, Article 24 of the Federal Law No.131-FZ, opinions of residents of the urban settlement and the municipal district are identified through voting on the alteration of the municipality's boundaries and reorganization of the municipality, which must be conducted separately both in the urban settlement and the municipal district from which the urban settlement secedes (to which it is annexed), as provided for. Change of an urban settlement's status is prohibited in the absence of consent of residents of the urban settlement and/or residents of the municipal district.

During reorganization of municipalities, matters of legal succession and transfer of rights and responsibilities from one municipality to another ought to be settled. Legal succession between municipalities implies transfer of rights and responsibilities from one municipality (the legal predecessor) to the other (the legal successor) based on a law or contract.

Municipalities undergoing merger or division are legal predecessors. Municipalities created as a result of merger or division are legal successors.

Legal acts adopted by municipal authorities of municipalities that are legal predecessors continue to be effective in these territories until they are reviewed or repealed (except for acts containing responsibilities to citizens or organizations) by municipal authorities of municipalities that are legal successors.

General provisions of civil legislation apply to civil law contracts that have been signed by legal predecessors and are effective at the time of legal succession. With regard to other contracts, the legal successor signs an agreement with the contractor for termination of the contract or substitution of a party to the contract.

In accordance with the legislation of the Russian Federation, in the case of reorganization of municipalities in the form of merger property is transferred to the municipality which is the legal successor. In the case of reorganization of municipalities in the form of division, matters of succession with regard to property are settled in accordance with legislation on the basis of contracts signed by municipalities that are legal successors.

Reorganization of municipalities requires a period of transition, which is defined as the period of time within which new municipal authorities are formed, a municipal statute is adopted and matters of legal succession and other matters are settled in the municipal territory undergoing reorganization.

The procedure for reorganization of municipalities, including by merger, is comparable, to a certain extent, to procedures for the merger of Russian regions as provided for in the Federal Constitutional Law No. 6-FKZ "On the Admission to the Russian Federation and Creation Within It of New Subjects of the Russian Federation" of December 17, 2001 (further referred to as the Federal Constitutional Law No. 6-FKZ). The key similarity is the need to obtain consent from residents (or consider their opinions) before embarking on any form of reorganization.

Consent of residents shall be expressed through voting, as provided for in Section 3, Article 24 of the Federal Law No. 131-FZ, and in accordance with procedures for conduction of local referenda established by law or during citizens gatherings.

In accordance with Article 11 of the Federal Constitutional Law No. 6-FKZ, a new region may be created within the Russian Federation on the basis of approval for the creation of a new region obtained through referenda in interested regions.

Adoption of a federal constitutional law is required for the creation of a new Russian region, whereas reorganization of municipalities is implemented on the basis of regional laws.

It should be noted that procedures for the merger of Russian regions, including requirements with regard to the draft federal constitutional law on creation of new subjects of the Russian Federation within the Russian Federation, are quite amply defined in the Federal Constitutional Law No. 6-FKZ, whereas the procedure for reorganization of municipalities is only roughly defined in the Federal Law No. 131-FZ and no requirements whatsoever have been established with regard to regional laws on reorganization of municipalities.

Due to the absence of such requirements in the Federal Law No. 131-FZ, the issue of whether these requirements may be set by Russian regions is left open. Nevertheless, despite differences in the scope of mergers of Russian regions and reorganization of municipalities, it appears that procedures that will ensue after residents' positive volition has been identified, must generally take account of the full spectrum of problems that are, with some exceptions, uniform both in municipalities and in regions.

#### **4. Legal guarantees of residents' participation in reorganization**

Territorial organization of local self-government and reorganization of municipalities directly affect the interests of municipal residents.

Therefore, the Federal Law No. 131-FZ provides guarantees for residents' participation in this process. The key guarantee, which directly stems from provisions of the Constitution of the Russian Federation, is the prohibition to alter boundaries or territories of existing municipalities and to change their status without the consent of their residents (or without considering their opinions).

Article 13 of the Federal Law No. 131-FZ provides that initiatives for reorganization of municipalities may be put forward by residents as well as by municipal authorities, regional and federal authorities.

If an initiative for reorganization of municipalities has been put forward by municipal or regional/federal authorities, it becomes of paramount importance to clarify the initiatives put forward, disseminate information about possible consequences of proposed measures to residents and secure transparency during decision-making on issues concerning reorganization of municipalities.

In accordance with Article 13 of the Federal Law No. 131-FZ:

- consent of residents of each settlement is required to execute a merger of two or more settlements entailing no changes to boundaries of other municipalities;
- consent of residents of each settlement to be created is required if division of municipalities occurs;
- consent of residents of an urban settlement as well as the municipal district from which the settlement secedes (to which it is annexed) is required to settle the issue of granting city okrug status to the urban settlement (depriving the urban settlement of city okrug status);
- a merger of two or more municipal districts entailing no changes to boundaries of other municipalities or division of a municipal district are executed considering opinions of their residents, which shall be expressed by representative bodies of municipal districts (the municipal district).

Residents' consent to the reorganization of a municipality shall be expressed through voting, as provided for in Section 3, Article 24 of the Federal Law No. 131-FZ, and in accordance with procedures for conduction of local referenda established by law or during citizens gatherings.

The range of measures ensuring publicity of voting procedures must include:

- analysis of the territorial framework of local self-government organization, dissemination of key results of this analysis and conclusions to residents;
- development of an organizational mechanism for interaction among municipal authorities and residents;
- tentative study of residents' opinions on the issue of reorganization of municipalities;
- dissemination of information on the forthcoming reorganization to residents, raising of public awareness;
- organization of voting on the reorganization of municipalities, coverage of the voting process;
- decision-making based on results of the voting;
- dissemination of the content of decisions to residents, clarification of decisions made.

We believe that when municipal or public authorities develop initiatives for reorganization of municipalities by analogy with Article 10 of the Federal Constitutional Law No. 6-FKZ, issues regarding names, statuses and boundaries of new municipalities, forecasts of social-economic and other outcomes, matters of legal succession and issues related to the necessity of amending local budgets, presumed dates of voting on the issue of reorganization and the list of questions to be put to a vote must be elaborated on and disseminated to residents.

Residents' consent to the reorganization of municipalities shall be obtained as a result of a vote conducted among residents in accordance with procedures provided for in Section 3, Article 24 of the Federal Law No.131-FZ or during citizens gatherings in cases provided for in the Federal Law No.131-FZ.

The following provisions must be concretized and elaborated on in regional laws regulating procedures for the vote on reorganization of municipalities:

- procedures for residents putting forward an initiative for the vote on reorganization of a municipality;
- procedures for assigning a date for the vote;
- procedures for setting up polling stations;
- procedures for registering participants and making voter lists;
- peculiarities of conducting propaganda campaigns;
- voting procedures;
- procedures for ascertaining voting results and summarizing the vote;
- procedures for filing complaints about infringements of rights of citizens or other parties entitled to put forward a voting initiative as well as infringements of citizens' rights to participate in the vote.

Residents' consent to the reorganization of a municipality is considered to be obtained if more than half of the municipality's residents that participated in the voting opted for reorganization.

## **5. Problems associated with reorganization**

As a result of a positive decision regarding reorganization of municipalities entailing changes in their territorial ownership, a need arises to form municipal authorities, draw up a local budget, create municipal property, adopt statutes as well as other municipal legal acts in the municipalities created as a result of reorganization and settle matters of legal succession.

The federal legislation does not provide for legal regulation of the abovementioned matters. As a result, a number of problems may arise during the implementation of municipal reorganization.

For instance, the following situation occurred in Leningradskaya Oblast during the implementation of residents' initiative for the merger of Svetogorskoe and Lesogorskoe urban settlements of Vyborgsky municipal district.

On March 2, 2008, when the vote on the merger of the abovementioned municipalities was held, residents were asked whether they would consent to the merger which was to be made effective on January 1, 2010. The vote revealed a positive willingness of residents to implement the merger of named municipalities on January 1, 2010. Hence, a municipality created as a result of the merger is considered to be established on the abovementioned day, while former municipalities cease to exist on the same day.

By January 1, 2010, some high-priority activities aimed at ensuring the normal functioning of a new municipality and its authorities, namely creation of a municipal representative body, election of the head of the municipality, adoption of a municipal statute, setup of the local budget for 2010 and a number of others, must be implemented. .

Procedures for electing the head of the municipality are governed by municipal statutes. A municipal statute is adopted by a municipal representative body, which also approves the local budget and settles a number of other high-toned matters. Hence, the representative body must be created in the first place. However, creation of a representative body poses a problem, since, in accordance with the Federal Law No.131-FZ, the quantitative composition and tenure of representative bodies are governed by municipal statutes, which, in turn, must be adopted by representative bodies.

Moreover, the situation associated with the merger of Svetogorskoe and Lesogorskoe urban settlements becomes even more complicated due to the following circumstance. The tenure of representative bodies and heads of the abovementioned urban settlements expires in October 2009, while on January 1, 2010 these urban settlements will cease to exist. The Federal Laws No.67-FZ and No.131-FZ do not provide for the prolongation of tenure of municipal representative bodies under these circumstances, while election of the abovementioned bodies, which is due in October 2009, provided that that they will only exercise their competencies for 2.5 months, appears extremely inexpedient and costly. Hence, in addition to the abovementioned problems, a question arises as to what bodies, under these circumstances, will exercise municipal competencies in named settlements until January 1, 2010.

In accordance with the federal legislation, primarily the Federal Law "On General Principles of Organization of Lawmaking (Representative) and Executive Public Authorities of Subjects of the Russian Federation" of October 6, 1999 and the Federal Law No.131-FZ, implementation of legal organizational regulation during creation of municipalities, including determination of their boundaries and their status, is listed among the competencies of Russian regions.

Considering these factors, implementation of legal regulation of problematic issues arising as a result of reorganization of municipalities by Russian regions appears feasible. In order to avoid intrusion into competencies of either federal or municipal authorities, such legal regulation must undoubtedly be exercised with the utmost caution.

As noted earlier, procedures for the merger of Russian regions, including requirements regarding the draft federal constitutional law on creation of new subjects of the Russian Federation within the Russian Federation are quite amply defined in the Federal Constitutional Law No. 6-FKZ. At the same time, despite differences in the scope of mergers of Russian regions and reorganization of municipalities, procedures that will ensue after residents' positive volition has been identified, must generally take account of the full

spectrum of problems that are, with some exceptions, uniform both in municipalities and in regions.

For instance, in accordance with Article 12 of the Federal Constitutional Law No. 6-FKZ, the draft federal constitutional law on creation of new subjects within the Russian Federation must include provisions establishing the name, the status and the boundaries of a new subject of the Russian Federation, provisions for dissolution of the interested subject (subjects) of the Russian Federation as well as concluding and transitional provisions establishing dates for the settlement of the following matters:

A) formation of public authorities of a newly created subject of the Russian Federation;

B) introduction of changes and amendments to the federal law on federal budget for current year if creation of a new subject within the Russian Federation will entail redistribution of budgetary funds for current year;

C) legal succession of a newly created Russian region with regard to property of interested regions and in the context of its relations with public authorities of the Russian Federation, other Russian regions, foreign countries and international organizations;

D) functioning of territorial bodies of federal executive authorities and federal courts in the territory of a newly created Russian region;

E) functioning of public authorities of and organizations established in interested regions in the territory of a newly created Russian region;

F) force of laws and other legal acts adopted in interested Russian regions in the territory of a newly created Russian region.

Regional laws on reorganization of municipalities may take account of all these provisions, with the exception of those under paragraphs D) and E) of the Federal Constitutional Law No. 6-FKZ, which do not require regulation during reorganization of municipalities, and the provision under paragraph F) – since, in accordance with the federal legislation, legal regulation concerning establishment of procedures for and periods of validity of municipal legal acts is not among the competencies of Russian regions.

Moreover, in order to avoid situations similar to the one which occurred during the merger of Svetogorskoe and Lesogorskoe urban settlements, thorough consideration is required before setting the dates for organizational activities related to reorganization of municipalities. We deem that the abovementioned activities ought to be implemented during tenure of local authorities of municipalities undergoing reorganization so that there is an opportunity, after new municipal authorities have been formed, to terminate the competencies of former municipal authorities ahead of schedule as provided for in the federal legislation since the legislation does not provide for their prolongation.

However, without relevant amendments to the federal legislation it will be impossible to resolve the high-priority and crucial issue of the composition and tenure of new municipal representative bodies, which shall be defined, in accordance with the Federal Law No.131-FZ, in the municipal statute, which, in turn, must be adopted by the new representative body.

Therefore, we deem that development of a standard regional law that will encompass all problematic issues which may be encountered during the reorganization of municipalities of Leningradskaya Oblast as well as development of uniform methods that will reflect organization and procedures for the conduction of activities aimed at reorganizing municipalities may be extremely useful for the resolution of problems that do arise during municipal reorganization. Development of proposals for amending provisions of the federal legislation regarding legal formalization of competencies of Russian regions pertaining to the implementation of legal regulation in the field of municipal reorganization will also be useful.