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ZAŠTITA PRAVA NA LOKALNU SAMOUPRAVU, REGULIRANJE I FUNKCIONIRANJE OPĆINA KAO JEDINICA LOKALNE SAMOUPRAVE U FEDERACIJI BOSNE I HERCEGOVINE

SAŽETAK

U disertaciji se elaborira institut lokalne samouprave sa različitih aspekata. Obrađuje se pojam lokalne samouprave u teoretskom i normativnom pogledu, načela, sadržaj i smisao lokalne samouprave u najznačajnijim međunarodnim i domaćim aktima (Europska povelja o lokalnoj samoupravi, preporuke Komiteta ministara, Ustav Bosne i Hercegovine, Ustav Federacije Bosne i Hercegovine i ustavi kantona, Zakon o principima lokalne samouprave u Federaciji Bosne i Hercegovine i druga zakonska i podzakonska regulativa).

Daje se pregled lokalne samouprave općenito u Europskoj uniji i detaljnije u nekoliko država članica Europske unije.

Posebna pažnja posvećena je nastanku i razvoju lokalne samouprave u Bosni i Hercegovini, ustavnom položaju i nadležnostima jedinica lokalne samouprave u Federaciji Bosne i Hercegovine. Pored toga, istraživanje je fokusirano na e-upravu, na organizaciju i funkcioniranje jedinica lokalne samouprave kao i ustavnosudsku zaštitu prava na lokalnu samoupravu. Na kraju, dat je osvrt na pitanje regionalizacije te značaja i perspektive lokalne samouprave u Federaciji Bosne i Hercegovine.

Ključne riječi: lokalna samouprava, autopoiesis, supsidijarnost, decentralizacija, Europska povelja o lokalnoj samoupravi, e-uprava, zaštita prava na lokalnu samoupravu, općina, Federacija BiH.

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PROTECTION OF THE LOCAL SELF-GOVERNMENT RIGHT, REGULATION AND
FUNCTIONING OF MUNICIPALITIES AS LOCAL SELF-GOVERNMENT UNITS IN
FEDERATION OF BOSNIA AND HERZEGOVINA

SUMMARY

The institution of local self-government is elaborated from various angles in the dissertation.

The term of local self-government in theoretical and normative view, principles, content and meaning of local self-government in light of the most significant international and domestic acts (European charter on local self-government, recommendations of Committee of ministers, Constitutions of Bosnia and Herzegovina, Constitution of Federation of Bosnia and Herzegovina and constitutions of cantons, Law on principles of local self-government in Federation of Bosnia and Herzegovina and other lawful and executive regulations are elaborated.

Review of local self-government in European Union in general, and a more detailed review of local self-government in a few member states of European Union is provided.

Creation and development of local self-government in Bosnia and Herzegovina, constitutional status and authorities of local self-government units in Federation of Bosnia and Herzegovina are given special attention.

In addition e-Government, organization and functioning of local self-government units as well as protection of local self-government rights by the constitutional court were the focus of research.

In the end the question of regionalization as well as importance and perspective of local self-government in Federation of Bosnia and Herzegovina is overviewed.

Keywords: local self-government, autopoiesis, subsidiarity, decentralization, the European Charter of Local Self-Government, e-Government, protection of the local self-government right, municipality, Federation of Bosnia and Herzegovina.