

COMPARISON OF AZERBAIJAN AND TURKEY LOCAL GOVERNMENT SYSTEMS

Amal AHADLI¹ Eray ACAR²

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Abstract

After the collapse of the Soviet Union in 1991, Azerbaijan became one of the Turkic states that gained its independence. Known for its geographical proximity to Turkey, Azerbaijan differed from other Soviet Union member states in many respects due to its traditions. The local government systems of Turkey, which have an established state structure, are undoubtedly more developed than those of Azerbaijan, which has been a colony for many years. We think that the result that will emerge when we compare the local government systems of these two states can help these two states to realize the deficiencies in their local government systems in the coming years. The aim of this article is to compare local government systems in Azerbaijan and Turkey, to identify similarities, differences, and strengths and weaknesses in both countries. In the article, studies on local government systems in Azerbaijan and Turkey were made using the comparative analysis method. The importance of conducting this study is the fact that the information mentioned will have the opportunity to provide resources for the improvement of the local governments of the states in question in the future. The study is limited to a systematic examination of the local governments of Azerbaijan and Turkey.

AZERBAIJAN VE TÜRKİYE YEREL YÖNETİMLERİNİN SİSTEMLERİ KARŞILAŞTIRILMASI

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Özet

Azerbaycan, 1991 yılında Sovyetler Birliği'nin dağılmasının ardından bağımsızlığını kazanan Türk devletlerinden biri olmuştur. Türkiye'ye coğrafi yakınlığı ile bilinen Azerbaycan, gelenekleri nedeniyle birçok açıdan diğer Sovyetler Birliği üyesi devletlerden farklılık göstermektedir. Yerleşik bir devlet yapısına sahip olan Türkiye'nin yerel yönetim sistemleri, uzun yıllar sömürge olan Azerbaycan'ından şüphesiz daha gelişmiştir. Bu iki devletin yerel yönetim sistemlerini karşılaştırdığımızda ortaya çıkacak sonucun, önümüzdeki yıllarda bu iki devletin yerel yönetim sistemlerindeki eksikliklerin farkına varmalarına yardımcı olabileceğini düşünülmektedir. Bu makalenin amacı Azerbaycan ve Türkiye'deki yerel yönetim sistemlerini karşılaştırmak, her iki ülkedeki benzerlikleri, farklılıkları, güçlü ve zayıf yönleri tespit etmektir. Makalede, karşılaştırmalı analiz yöntemi kullanılarak Azerbaycan ve Türkiye'deki yerel yönetim sistemleri üzerine çalışmalar yapılmıştır. Bu çalışmanın yapılmasının önemi, bahsedilen bilgilerin gelecekte söz konusu devletlerin yerel yönetimlerinin iyileştirilmesi için kaynak sağlama imkânına sahip olacağı gerçeğidir. Çalışma, Azerbaycan ve Türkiye yerel yönetimlerinin sistematik olarak incelenmesi ile sınırlıdır.

¹ Doctoral Student, Kütahya Dumlupınar University Institute of Postgraduate Education Department of Public Administration, ehedliamal96@gmail.com, ORCID: 0009-0007-5162-586X

² Associate Professor Dr., Kütahya Dumlupınar University, Faculty Of Economic And Administrative Sciences Department Of Public Management, eray.acar@dpu.edu.tr, ORCID: 0000-0002-5375-7555

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Introduction

Azerbaijan and Turkey are two countries with close relations throughout history. The provision of local services, the promotion of local development and management activities are an important part of the local government systems of both countries. In this study, a comparison will be made about the structural features, powers and responsibilities, election processes and relations with the central government of Azerbaijan and Turkey's local government systems.

The local government systems of both countries are centralized. In both countries, municipalities form local government units. However, the local government systems of Turkey and Azerbaijan differ in several aspects. The areas of authority and responsibility of local governments, their election processes and their relations with the central government reveal these differences.

In this article, firstly, the structural aspects of local government systems in Azerbaijan and Turkey will be examined. The roles and duties of municipal governments in both countries will be discussed later. The approaches used by Azerbaijan and Turkey in local governments will be compared.

Understanding the local government systems in Azerbaijan and Turkey, highlighting their similarities and contrasts, and helping local governments grow in both countries are the aims of this article. This comparison provides very important information for local governments to work efficiently and raise the standard of local services.

We will talk about the authority and accountability of municipal governments in both countries. While municipalities in Turkey operate in various fields such as planning, zoning, infrastructure, transportation, social services and local services, in Azerbaijan the central government has more authority and participates more actively in the decision-making processes of local governments.

This article presents a comprehensive study comparing the local government structures of Turkey and Azerbaijan. By examining the similarities and contrasts between the local government systems of the two countries, in-depth information about the effectiveness and democratic procedures of local participation can be obtained. This study provides crucial information for the growth of city councils in both countries.

Conceptual Framework

Conceptual and Theoretical Overview of Local Governments

Local governments in history have always been known by their nature to reflect the basic qualities for societies to make an important democratic start. Since the day of his existence, human beings have been interested in the change process taking place in his environment and sought solutions to the problems he encountered in the changes he observed (Ismayilova, 2007: p.30).

Within the development process, local governments have developed autonomous management units from the central government to manage themselves. The mainstay of this idea was that the organs that had the power to decide came to office as a result of the popular vote and took decisions to solve the problems affecting the daily life of the local people (Gökçe, 1999: p.53).

It has been thought that it is important that we need to define the concept of local government in order to revive it in our minds. For this reason, in order to meet the common needs of the communities residing in a certain region, it is possible to define the public institution as local administrations, which are elected by the people living in the said local region and have duties and authorities limited by law, and hold the special income and budget opportunities (Göktürk, 2022: p.7). Undoubtedly, the closest unit to the local community has been the local administrations. These units were concerned with the needs of the local community as of the purpose of establishment. Solidarity, participation and assistance to local governments have been an important factor in strengthening the system and

increasing the quality of services provided to local communities living in this geographical area (Hasanoğlu, 2009: p.119). Local governments, which are of great importance in terms of identifying needs accurately and without delay because they are the closest administrative units to the people, are also an important apparatus of democracy thanks to their decision-making bodies formed on the basis of the will of the people.

As it is known, the concept of decentralization has passed into the literature as giving the state service to an organization such as a local headman, not under the control of a central unit, according to local government terminology. It has been determined that this system is the exact opposite of centralism, and that it is partially independent and partially dependent on the center in some of its duties (Hasanoğlu, 2009: p.120).

When we observed the history, it was seen that the local administrations performed some of the tasks (establishing the military organization and providing national defense) directed by the state/central administration. This structure, called "ancient site" by those living on a certain piece of land, was accepted as the first local government units according to the ideas of some thinkers. These organizations, which take their place in the literature as the smallest democratic administrative unit with the freedom to govern themselves, have had religious autonomy as well as political power. This role of the sites continued until the Roman Empire was the dominant power on the continent. As a result of the site becoming the important power of the Roman Empire, its social and political autonomy completely disappeared and left its place to the communes. Although these communes are not considered the beginning of local governments in the modern sense, there has been no problem in being accepted as the "foundation of democracy" (Çifçi, 2020: p.4).

As the smallest unit of democracy, local governments are important institutions that increase public participation in governance, strengthen social solidarity and enable individuals to directly influence decision-making processes in their own living spaces. Strong local governments mean a strong local democracy and therefore a strong general democracy. The importance of local governments in terms of democracy and effective and efficient public service delivery is increasing day by day, looking at the experience of the development process from ancient Greece to the current stage.

Political and Administrative Structure of Two States in Comparative

We should know that Turkey, as a form of government based on centralism, stands out as a unitary state based on the principle of the rule of law, the social will in the parliament and the principle of secularism. It is a known fact that the five constitutional periods covering the last times of the Ottoman Empire contributed to the formation of modern state elements in today's Turkey. We can specify these periods in chronological order as the Legal Basis of 1876, the 1921 Constitution belonging to the period of the War of Independence, the 1924 Constitution, which is the "foundation constitution" of the Republican regime, the 1961 Constitution and the 1982 Constitution which is in force today. We should not forget that from time to time, the issues related to the amendment of the 1982 Constitution took place on the parliament's agenda (Sayan, 2013: p.1). For the first time, the importance of local governments was first constitutionally recognized in the 1921 Constitution, and in subsequent constitutions, the principle of local government was developed as a constitutional principle and tried to be strengthened as autonomous units within the unitary structure.

Article 123 of the 1982 Constitution, which was adopted after the 1980 coup, clearly formed the firsts of Turkey's administrative structure. According to this article of the Constitution, the administration should be regulated by laws, apart from being evaluated as a whole with its organization and duties. According to this Constitution, the establishment and duties of the

administration should be regulated on the basis of "central administration" and "decentralized administration" (Sayan, 2013: p.1).

The end of the Cold War Period, which lasted for years between the Western and Eastern bloc countries, caused the fire of independence in Azerbaijan, which adopted the Constitutional Republic regime. Known for its proximity to the Western type of government, Azerbaijan has had a pluralistic and participatory state structure after independence (Parlak, 2019: p.121). After independence, important steps were taken in the context of strengthening local governments in Azerbaijan. This reform movement, which took place in Azerbaijan in the context of local governments, also paved the way for the start of the European integration process (Elma, 2007: p.168-178). The constitutional arrangements made by Türkiye and Azerbaijan, which have similar structures, regarding local governments are parallel to each other. Türkiye, in particular, has been one of the countries that Azerbaijan has taken as an example in this regard.

According to the 1995 Constitution, all nationalities connected to Azerbaijan by citizenship were recognized as Azerbaijanis. The concept of Azerbaijani has almost become an upper identity. We should know that many ethnic minorities lived in Azerbaijan, just like Türkiye. All citizens of Azerbaijan have equal rights before the state regardless of religion, language and race. The idea of the integrity and unity of the state has been one of the most important features of Azerbaijan's political tradition. The concept of nation-state has started to develop relatively recently in this country due to its new independence. The political regime in the country continued to function within the framework of public law and social state principles. The understanding of "centralism" and "localism" has become the main axis of socio-economic policies in the country (Parlak, 2019: p.121).

Constitutional Evaluation

By continuing its existence under the domination of the Soviet Union for many years, Azerbaijan has been culturally and politically influenced by this structure and has been condemned to stay away from liberal and democratic western type values. The political culture adopted in Azerbaijan during those revolutions was built on oppression and centralism. The country managed to regulate its local governments only after it got rid of the colonial and occupying policies of Russia. This date dates back to 1991, after the collapse of the Soviet Union and the independence of Azerbaijan (Özmen, 2021: p.54). It is possible to attribute the formation of democratic facilities in Azerbaijan after the separation from the Soviets to the administrative and political restructuring initiated in the country after independence. When the 1995 Constitution was started to be formed exactly 4 years after independence, local governments were dealt with in a separate section in the constitution. Pursuant to Article 7 of this law, which is known as provisional, two years were given for the adoption of the law on local governments and it was stated that municipal elections should be held as soon as possible. Despite all this, as a result of the preparatory work and the bureaucratic process taking longer than expected, the laws determining the status of the municipalities and the election rules could only be adopted in June 1999. The establishment of municipal institutions in Azerbaijan corresponded to 12 December of the same year (Elma, 2007: p.217).

Article 142 of the Constitution of Azerbaijan on local governments includes articles stating that the statutes for municipalities to carry out their activities and to be formed by election will be determined by law. Information on how the administrative units of these municipalities will be collected and who will collect them is given in Article 143 of the relevant Constitution. Article 144 of the Constitution contains the information that the authorities of the municipalities will be settled in the municipal meetings to be held (Alçiçek, 2019: p.221). Based on Article 142 of the Constitution of the Republic of Azerbaijan and the Law on Municipalities of 27 June 1999, municipalities have been recognized

as the only type of local government in Azerbaijan (Parlak, 2019: p.137). In addition to the previous 1921 and 1961 Constitutions, local governments were also included in the 1982 Constitution, which is still applied today. According to the provisions of our recently adopted Constitution, the existing local government units in Turkey consist of: special provincial administration, municipalities (metropolitan, province, district, town municipalities) and villages.

Article 127 of the 1982 Constitution, which determined the principle of "decentralization" by providing administrative and financial autonomy to local governments in Turkey, also tried to avoid a functional autonomy with general authority by limiting the fulfillment of all kinds of public services at the local level by local governments. In Turkey, it is based on the Constitution that "local common needs" will be undertaken by local governments. The fact that local common needs are not fully defined has led to some problems in local governments. Apart from the 1982 Constitution, this situation also appeared in the Local Administrations Autonomy Charter (AYYÖŞ) (Boztepe, 2019: p.50).

Another article of the 1982 Constitution that mentions local governments was 123. In the said article, certain provisions such as "the administration is evaluated as a whole with its organization and duties. The establishment and duties of the administration are based on the principles of central administration and local administration", took place in the Constitution. "The principle of the integrity of the administration", the "principle of centralized administration" and the "principle of decentralization" have been constitutionally accepted with the 123rd article we read (Mecek and Atmaca, 2020: p.2070).

In the 126th article of the 1982 Constitution emphasizing local governments; "Turkey is divided into provinces and provinces into other graded divisions in terms of the central administration organization, according to the geographical situation, economic conditions and the requirements of public services... According to the conclusion drawn in this provision referred to in Article 126, the provincial units of the central government were determined as provinces and other graded divisions. The fact that the top administrative unit that must be established in the provincial organization is the "province" is clearly based on the provisions of the Constitution. Another issue clearly defined in the Constitution was the number and types of units to be established under the province. As it is known, although the word "district" is included in the "Provisional Article 19/d" article of the 1982 Constitution, its separate and explicit regulation in the constitution as an administrative unit has not been taken into account in any way. According to the Provincial Administration Law No. 5442 of the central government of Turkey (art.1), in terms of establishment, that is, in terms of the civil (provincial) organization of the state administration, provinces are divided into "provinces" and provinces are divided into "districts". In the text of the law, the phrase "the districts are also divided into sub-districts" is used. The sub-district organization, which has a very limited de facto implementation, was abolished first in metropolitan cities with the Law No. 6360 (art. 1/6), which came into force in 2012, and then all over the country with the Law No. 6552, which came into force in 2014 (Mecek and Atmaca, 2020: p.2070).

Central and Local Government Relationship

It has been clearly stated that the decisions taken by the municipalities in Azerbaijan should not be contrary to the 150th article of the 1995 Constitution, essentially the Constitution, the Laws, the Presidential Decrees and the Decrees of the Council of Ministers. With a law enacted in 2003, the first steps were taken to implement the "administrative tutelage" issue, which is not envisaged in the Azerbaijani Constitution. It has been a known fact that these regulations have a universal character. In addition to all these, it is thought that restrictions such as government savings other than legislation

may have an impact on municipal movements. When we evaluate the situation from this point of view, it is highly likely that we can conclude that municipalities in Azerbaijan are sub-units under the command and command of the central government, rather than autonomous units with constitutional guarantees. Therefore, local governments in Azerbaijan are given as few duties as possible, and their duties are fulfilled by the central or provincial units affiliated to the center (Yıkıcı and Salman, 2021: p.12). In Azerbaijan, the municipalities of Yasamal and Nesimi have periodically informed the public about their relations with the governorates. The governorate of Baku overshadowed other municipalities in the capital and provided many of the same services as municipalities in Turkey. Compared to Baku, local municipalities were found to have more freedom of contact with the public when they were relatively out of the city (Arıtürk and Negiz, 2018: p.879).

In Azerbaijan, municipalities can sell land only after the approval of the Governorate and the real estate committee of the Ministry of Justice. The most obvious example of the relationship between central and local government is the connection between the municipality and the Ministry of Justice. The Municipalities and Business Center of the Ministry of Justice and its branches regularly collect the decisions of the municipal councils of Azerbaijani municipalities every month and subject them to a legal audit and review mechanism (Arıtürk and Negiz, 2018: p.879). In Azerbaijan, the legal status of municipalities and the distribution of their powers is one of the areas under constant development. With the recent amendments to the Law of the Republic of Azerbaijan “On the Status of Municipalities” and the Presidential Decree, the control of certain aspects of the activities of municipalities has become more centralized. Essence of the New Changes.

Law 1129-VIQD adopted on April 5, 2024 and the Presidential decree on its implementation have undergone the following major changes:

- Some supervisory authority over certain activities of municipalities has been delegated to the President of the Republic of Azerbaijan.
- The term “authorized body (institution)” in the Law is defined as the Cabinet of Ministers of the Republic of Azerbaijan.
- It is envisaged that the regulations on the household registration system will be determined by the Cabinet of Ministers and a report on this issue will be submitted to the President of the Republic.
- Under previous legislation, certain regulatory and supervisory powers related to municipalities were exercised through the executive branch. However, with the amendments:
- Direct presidential supervision over the activities of municipalities has been increased.
- Some regulatory procedures were restructured to be implemented through the Council of Ministers.
- The authority sharing of local governments has been shaped within a more centralized framework (Presidency of the Republic of Azerbaijan, 2024).

The execution of services with a centralized state structure has been an understanding unique to the Turkish Public Administration. This structure was accepted only in Turkey because it was thought that it could protect the unitary state structure. It has been expressed from time to time that taking economic and social activities under control from a single side may cause the growing public bureaucracy to become clumsy, and its ethics to become inefficient by decreasing. For this reason, the importance of local governments has begun to increase while public institutions are being directed to shrink day by day in Turkey as well as in the world. The reform movements that took place in this area after the 1980s were effective in reducing the workload of the central government, and in finding solutions to some problems arising from the rigidly formed centralist structure and bureaucracy. The

effect of decentralization ideas on local governments day by day caused the redefinition of the relations between center and local and the sharing of duties and responsibilities (Emini, 2009: p.42). 15% of the public expenditures realized in Türkiye were created by local administrations and 85% by the central government. It is stated that the rate revealed is half in the European Union Countries. In Turkey, only 20% of the financial resources of local governments are covered by themselves (local government), whereas in EU countries this ratio is 60-70%. Central government has provided 80% of the resources needed by local governments in Türkiye. In order to bring this ratio to a reasonable level, it has become necessary to make extra legal regulations. (Arslan, 2005: p.198). Although certain reforms have taken place in Turkey in 2004 and later in order to alleviate the centralist structure, it has been observed that the desired result has not been achieved. The studies carried out in this context and the new structural developments that came into force were not successful enough when we evaluated them from an administrative point of view, and the influence of the center on local governments continued in administrative and financial terms (Çiçek, 2014: p.61).

Local Administrative Organs in Terms of Municipalities

The role of municipal organs in providing efficient services to municipalities in Turkey has been substantial. Municipalities in our country consist of three organs, namely “Municipal Assembly”, “Municipal Committee” and “Mayor”. We will examine these organs in detail.

Municipal Council: Article 17 of the Law on Municipalities adopted in 2005 states that “The Municipal Assembly is the decision-making body of the municipality and consists of members elected in accordance with the principles and procedures set out in the relevant law”. There are sub-headings related to the Municipal Assembly in this law. It is possible to list these titles as “Presidency Council”, “Assembly Meeting”, “Specialized Commissions”, “Audit Commission” (Municipal Law, 2005: 19, 20, 24, 25).

Municipal Committee: According to the law, in provincial municipalities and municipalities with a population of over 100,000, it is defined as municipal committees consisting of seven people, under the chairmanship of the mayor, three members to be elected by the municipal council for one year each year from among its members, and two members to be elected by the mayor for one year from among the head of the financial services department. Councilors have the opportunity to be summoned by the mayor without the right to vote, depending on the issues on the agenda, to receive their opinions (Municipal Law, 2005: 33).

Mayor: As stated in the law, the Mayor represents the legal entity of the municipality and is defined as the head of the municipality. Mayors are determined according to the principles and procedures included in the law (Municipal Law, 2005: 37). Mayors come to office with direct election as a result of the popular vote in Turkey (Parlak, 2019: p.138). Municipalities, known as the lifeblood of local governments in Azerbaijan, consist of three main organs. These are known as “Mayor”, “City Council” and “Commissions”. We will consider these organs in the following order, under brief headings.

Mayor: In Azerbaijan, the mayor is elected as a result of closed or open voting by the members of the municipality, with a simple majority of votes, in accordance with Article 19 of the Law on the Status of Municipalities. The mayor himself appoints the commissions to be established so that the municipal organs can work (Zengin, 2013: p.67).

City Council: The city council is called by the mayor at least once a month. The municipal council can be called upon the initiative of one third of the members of the municipality or 10 percent of the people living under the responsibility of the municipality.

The decision of the members of the municipality on the issues discussed during the municipal meetings held in the country by simple majority is based on the second part of Article 145 of the Constitution of Azerbaijan. All municipal meetings that take place are recorded by authorized persons (Zengin, 2013: p.66).

Commissions: Municipalities carry out their activities in accordance with Article 1 of the Regulation on Standing and Other Commissions of Azerbaijan Municipalities. Standing and other commissions may be established on the basis of Article 17 of the Law of the Republic of Azerbaijan on the Status of Municipalities on the basis of Article 17 of the Law on the Status of Municipalities of the Republic of Azerbaijan in order to discuss in advance the issues falling within the competence of the municipalities, to prepare for them and to help the executive apparatus of the municipality to work more efficiently (Zengin, 2013: p.68).

Administrative Instrument Audit

In countries with a unitary state structure, administrative tutelage has become an important tool to protect the integrity of local governments. The supervision of local governments was carried out in this way in Turkey. When the control authority is used by the central government in our country, it is aimed to carry out local services in accordance with the principle of the integrity of the administration, to ensure unity in public duties, to protect the public interest and to fulfill local needs as necessary. The extent to which the tutelage control is distinctive has emerged as a result of this understanding. For example, while it was necessary for the municipal budgets to enter into force with the approval of Turkey's highest civilian authority, only after the approval of the Minister of Internal Affairs, the budgets of the special provincial administration could enter into force. As the permission of the Council of Ministers is required for municipalities to purchase new vehicles, mergers of local administrations have also been subject to the permission of the council. The audit that has been carried out on local governments is not limited to these. A number of executive decisions, actions, transactions, organs and personnel of local governments in Turkey have been under the control of the supervisory tutelage authority. The main goal of these inspections has always been to keep local governments under control and to prevent the dominance of the central government from being shaken in relations with the center (Güneş, 2009: p.160).

Some of the powers held by the guardianship authority in Turkey have been dismissal, cancellation, approval, approval by modification and postponement. For this reason, some interesting practices have been witnessed after a number of duties undertaken by the tutelage body. In Turkey, as the head of the executive committee of the special provincial administration and as the representative of the central government, the tutelage control of the same institution is carried out by the governors. For this reason, there are different opinions about how effective and effective the audit is (Güneş, 2009: p.161). Supervision of local governments is critical in terms of an effective and clear management approach, efficient use of resources and improving the quality of public services in Azerbaijan. The activities of municipalities in the country are governed by the Constitution of the Republic of Azerbaijan, international agreements and legal regulations.

Unlike Turkey, the Azerbaijani municipal council does not need the approval of the Governor (executive judge) when making a decision. In such cases, the assembly has the right to decide independently from the central provincial organization, namely the governor. Although the preparation of the budgets is carried out by the municipal council, it is obligatory to inform the Ministry of Finance (Parlak, 2019: p.138). Supervision of local governments is a process carried out within the framework of democratic management principles and is an important tool for monitoring the activities of municipalities and improving the quality of management in Azerbaijan.

Constitutional regulations aim to create a better and more efficient management system by learning more about the supervision of local governments.

Administrative control is carried out to check and evaluate the compliance of the Azerbaijani municipalities with the law. The following conditions allow the administrative control procedure:

1. Administrative control of the activities of municipalities is carried out only in the manner and in cases specified in the Constitution and laws of the Azerbaijan Republic.
2. Administrative supervision of the activities of municipalities is carried out only in terms of compliance with the law.
3. Article 144 of the Constitution of the Azerbaijan Republic II. Legislative and executive authorities may entrust the supervision of the exercise of additional powers vested in municipalities to the administrative supervisory body.
4. Administrative control cannot limit the right of municipalities to independently and freely resolve locally significant problems within the framework of the law.
5. Intervention in the activities of municipalities during the implementation of administrative control should be proportionate to the purpose envisaged in the law (Law on Administrative Control of Municipalities' Activities, Article 4).

Rules on the Exercise of Administrative Control form the basis of the Administrative Control Process. The reasons for the initiation of administrative control are listed below:

1. When an application is received from a natural or legal person or state body (institution) that its rights or legal interests are damaged by the municipality
2. If the acts envisaged in article 6 of this law are in conflict with the normative legal acts specified in article 1 of this law (Law on Administrative Control of Municipalities' Activities, Article 5).

Duties and Authorities of Local Administrations

The local government system and laws of Azerbaijan determine the responsibilities of local governments. Local governments are responsible for meeting the needs of local people and providing services at the local level. Detailed information about these services is included in Article 4 of the Law on Municipal Status of the Republic of Azerbaijan. The main responsibilities of local governments in Azerbaijan are:

Education, health, culture, maintenance and use of residential and non-residential premises, organization, maintenance and development of sanitary facilities, residential construction, use of locally important water resources, organization, maintenance and improvement of water supply and sewerage system, supply and sale of fuel, construction and maintenance of municipal roads, organization of local transport and communication services, creation of conditions for the organization of trade, organization of public food and household services, assistance to the development of cultural institutions, care of cultural institutions, historical and cultural monuments, creation of conditions for the organization of commerce, material care for the elderly, cultural and historical monuments, monuments, historical and cultural monuments for disadvantaged persons, additional assistance to gifted children without parental care, physical education and sports development, social and legal protection of youth, employment of the population, employment of people in their professions, development of family agriculture and other areas of local infrastructure.

In addition, according to Article 4 of the Law on the Status of the Municipality of the Republic of Azerbaijan, including the population living in the region, protection, maintenance, management, beautification, relocation of existing cemeteries, allocation of new cemeteries, repair and construction

of new buildings for funeral ceremonies, ceremonial and funeral services, assistance in the organization of regular funeral ceremonies and funeral ceremonies of the deceased from the low-income class should be provided (Article 4)

In Turkey, three basic principles are used to understand the relationship between local governments and general government. The stated principles were the list principle, the general jurisdiction principle, and the authority principle. The list principle has been the main factor in determining the powers and duties of municipalities until 2005. The transition to the principle of authority, on the other hand, was after the adoption of the Municipal Law No. 5393, which entered into force in 2005. Article 14 of the Law on Municipalities No. 5393 clearly defines the authorities and responsibilities of municipalities established in settlements with a population of 5,000 or more. This article, which entered into force on 02.07.2005, is regulated as follows:

Municipalities, provided that they have a local common character:

Reconstruction, water and sewerage, transportation, urban infrastructure in order to improve the living standards of citizens; environment and environmental health, cleaning and solid waste; police, fire, emergency, rescue and ambulance; urban traffic; burial and cemeteries; afforestation, parks and green spaces; housing; services such as culture and arts, tourism and promotion are provided to the people of the municipality. In order to build safe houses for women and children in need of protection in the region, there must be metropolitan municipalities and municipalities with a population of more than 50,000.

It can provide the repair and maintenance of public schools as well as the establishment and operation of health-related facilities. It maintains and repairs cultural and natural assets that are considered essential to be protected and reconstructed. It organizes amateur sports events to increase the interest of people in the region to sports. Even if they are successful in the major they compete in, the people are rewarded based on the decision of the city council.

The duties envisaged by the Municipal Law No. 5393 in Turkey have a very wide scope as can be seen. The design purpose of these tasks was to facilitate the living conditions of the inhabitants of the town until they died on the day they were born (Güneş, 2009: p.151).

Conclusion and Evaluation

When we compare the local government systems of these two states, we should not ignore the difference between the age of the state and the Republic of Turkey due to the fact that Azerbaijan has been a part of the Soviet Union for many years. Therefore, although the history of local governments in Turkey dates back to 1854, it was known as the early 1990s in Azerbaijan.

Although the only local governments are accepted as municipalities in the Constitution of Azerbaijan, there are 3 types of local government in Turkey: special provincial administrations, municipalities (metropolitan, provincial, district, town municipalities) and villages. Although there is no legal and administrative distinction in local governments in Azerbaijan, there are Metropolitan Municipality Law No. 5216 and Municipality Law No. 5393 related to this in Turkey.

When we compare the local government systems of the states, it has been determined that Azerbaijan has a more centralized state structure compared to Turkey. Although Turkey is trying to move away from this central structure, it has not yet achieved significant success. In Azerbaijan, most of the services that should be provided by municipalities are under the jurisdiction of governorates. According to the latest Presidential Decrees, these powers are shared between the President and the governorates.

In terms of Municipal Organs, the structure of the two states differs. municipalities in Turkey; Although the “Municipal Assembly” consists of “Municipal Committee” and “Mayor”, in Azerbaijan this is in the form of “Mayor”, “Municipal Assembly” and “Commissions”. Moreover, while the mayor in Turkey is elected directly by the votes of the people, in Azerbaijan he takes office with the votes of the members of the municipal council.

It is very important for both countries to cooperate to solve the problems shared by local governments in Turkey and Azerbaijan. For example, narratives about resource management, traffic control, infrastructure development and external planning can facilitate knowledge sharing and collaboration to create more developed and sustainable cities.

It is very important to establish effective channels for local government cooperation between the two countries. This cooperation can improve the dissemination of best practices and communication between local governments by encouraging the sharing of knowledge and experience. In addition, effective lines of communication should be established to enable local governments to participate in national plans and initiatives and to better understand local objectives.

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