

CITIZEN PARTICIPATION IN SOUTH EASTERN EUROPE

EDITED BY
Vivien Lowndes

Citizen Participation in South Eastern Europe

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Citizen Participation in South Eastern Europe

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LGI POLICY FELLOWSHIP PROGRAM

LGI's former fellowship program (2002–2011) supported practical policy reform in the region, built the capacities of individuals who were well placed to influence policy, created networks of multinational experts, and supported the mission of LGI. Each year LGI selected a group of talented professionals from Central, East, and South Eastern Europe and the former Soviet Union to participate in the one-year program. Fellows worked in small teams under the guidance of a well-respected mentor to produce policy-oriented studies on a given topic. The completed studies were impact oriented; each contained an advocacy or implementation strategy and concrete policy recommendations. LGI provided its fellows with training on how to write effective, concise, fact-based, practical policy reports. Other training modules LGI offered its fellows were public speaking, presentation skills, and advocacy methods. At the conclusion of the program LGI worked with its fellows to determine what steps it could take to support the proposed recommendations in the completed studies. Fellows were generally policy researchers, policy advisers, civil servants and members of NGOs, advocacy groups, or professional associations.

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Introduction:

Citizen Participation in South Eastern Europe

Vivien Lowndes

International donors have thrown great sums of money at the cause of greater citizen participation in the public decision-making processes in the new nation-states of the former Yugoslavia. Now, after two decades of experimentation in this field, a group of LGI fellows have assessed what methods worked well and why and will advance some recommendations on how to encourage greater and sustainable participation across the region. Participatory governance is an approach to revitalizing democracy, improving local services, and regenerating local communities; it involves a shift from narrow ideas of local government to broader concepts of “local governance,” in which multiple actors play a dynamic role in public policy and the delivery of public services, from the neighborhood to the municipality, and sometimes even on the regional level (Stoker 2004).

Some local authorities in South Eastern Europe have responded to popular demands and sought to experiment by innovatively redesigning local institutions and policymaking processes in order to make them suitable for greater public participation. Citizens and nongovernmental organizations (NGOs) have pointed to the important difference between those initiatives that simply inform the public about local affairs to the public, those that consult on policies or interventions already largely decided in advance, and those which are truly participatory processes of engaging citizens from the early phases of policy or project development.

John Gaventa (2007: xvi) has argued, “the rapid spread of new democratic forms should not be confused with the quality and nature of their performance.” Likewise, local public authorities often do complain that citizens are uninterested in contributing time and effort towards engaging with local affairs, and point to the dangers of trying to “please those who shout loudest” in an environment of competing claims and limited resources. But research shows that citizens often find the existing official channels for raising one’s voice inadequate, unresponsive, and therefore a waste of time.

Local consultations often bring about only cosmetic changes in the pre-decided interventions of local authorities undertaking the planning work. Processes around the world show that even when there is a demand on the side of the public, be they citizen

groups or NGOs representing interests of various social groups, public institutions do not know how to design governance processes to become systematically more participatory. Design challenges relate both to the “front end” of the process—how to find methods of participation that are accessible and inclusive to all relevant citizen groups; and to the “back end”—how to redesign decision-making itself to ensure that politicians and public servants are able to respond to public issues.

The LGI fellowship aimed at addressing the issues of how to advance public participation by building the capacities of local public institutions to enable greater engagement of the public on a regular basis. Civil society can help advance the practice of citizen participation in local decisions by engaging in citizen education and capacity building in order to raise the ability and demand of local citizens and NGOs to take part in local decisions rather than remain unengaged and criticize powerlessly from a distance. But opening the door once for a particular group of interests or citizens is no guarantee that public authorities will know how to sustain the process of giving regular access to that group or how to expand the participation to other groups. Moving from one-off, *ad-hoc* initiatives to the redesign of local institutions to make them more participatory on a regular basis is a real challenge for both policy developers and project implementers. The LGI fellowship focused on the degree to which it was institutionalized and how citizen participation could be made more sustainable, inclusive, and productive, and part of the ordinary business of local government.

The fellows’ assignment was to explore the opportunities for ensuring that local governments involve citizens and build participatory structures and processes for decision-making. They had to consider those few subnational governments that have shown some cautious willingness to launch participatory processes or to give access to some minority or other vulnerable groups to certain segments of decision-making on public policies. The papers collected here aim to:

Assess the progress made in the last decade: What has been done to mobilize citizens and enable them to engage with local decision-making? What has worked well and why? Are there legal and statutory regulations (at different levels of government or in particular policy sectors) for the “right to participate” and “duty to engage/consult.” Is there a duty to respond to citizen feedback? And is there capacity building for citizens to participate and for municipal officials to enable, organize, and respond to citizen participation?

Identify obstacles to establishing public participation as a regular mechanism in public decision-making.

Develop recommendations for how citizen engagement can be further supported, sustainability of engagement achieved and expanded to all social groups: What is needed to strengthen “rights to participate” and “duties to engage” in legal and statutory regulations at the subnational level? How can mechanisms for enabling citizens to participate be improved? How can the skills and capacity of municipal or regional officials be developed so they can organize adequate participatory processes, incorporate

citizen feedback into official decision-making, and respond to citizens? How can these processes be built into the “everyday life” of local government?

Six research projects (below) were undertaken. The first four are reported in full in the policy papers published alongside this introduction, which also makes reference to findings from the other two projects:

- Connected Communities in Croatia:
How Local Governments Can Initiate, Enable and Support Citizens’ Participation in Public Decision-making?
Igor Bajok and Naya Skoric
- Citizen Participation in Bosnia and Herzegovina:
Between Tradition and Transition
Snezana Mistic Mihajlovic
- Participation in Serbia:
Challenging the Reality
Jelena Nesic and Jasmina Beba Kuka
- How Subnational Governments Can Support Citizen Engagement and Institutionalize Participatory Practices in Montenegro
Ranka Sarenac
- Citizen Participation in Romania:
The Model of Citizens’ Consultative Committees
Iuliana-Gabriela Georgescu
- Citizen Participation in Public Decision-making:
Supporting Local Government to Turn Words into Practice—The Case of Kosovo
Besnik Tahiri

The projects all used a similar methodology, mixing desk-based analysis of legislative and regulatory frameworks for citizen participation with primary research based on interviews, focus groups and participant observation. Primary research largely focused on case studies of participation-in-action, covering issues like economic development, waste management, and social services. Respondents were identified in relation to specific research questions, and ranged from high-ranking politicians to civil servants and local government officers, NGO workers, community leaders, and ordinary citizens and service users. The analysis of secondary sources was also important, making use of recent surveys and studies by donor bodies, think tanks, and government bodies themselves. Aiming at concrete recommendations for policymakers and practitioners, each researcher analyzed different “options” based on their findings. Discussion between the research teams allowed for the sharing of good practices and also stimulated creative thinking. These tended to take the form of the “status quo,” “incremental adjustment,” or “radi-

cal reform,” drawing out the implications in each case. As such, the reports provide a menu of proposals, directed at actors at different levels (inside and outside government). Proposals can be adopted according to resource availability, political commitment, and priority issues. This process has already started in some of the countries studied, with presentations of findings to key actors and workshops on implementation.

Below we look at the key findings and recommendations that have emerged from the policy studies, setting them in the context of the wider evidence on institutionalizing participation.

DIAGNOSTICS—UNDERSTANDING ‘SUPPLY’ AND ‘DEMAND’

The studies identify the need to look at the “supply” of participation opportunities by local authorities and other policymakers—that is, whether authorities are willing to engage citizens, on what issues and by what means. Whether these efforts are cursory or genuine, and properly resourced, is of great importance. The studies show that in all the cases there exist relevant legislative frameworks, but the reality on the ground is somewhat different. Beyond laws and resources, genuine political will and motivation among public servants are vital ingredients on the “supply side” of citizen participation. Developing knowledge and skills among officials was considered as important as participation “hardware”—like offices, meetings, or organizations.

In terms of the “demand” for participation among citizens, developing interest and motivation among citizens was clearly an issue in all cases. The Romania study identified the difficulty of breaking with the passivity nurtured by the former Communist system. In more recent times, donor-sponsored participation initiatives have often promised more than they have delivered. Citizens’ skepticism has been increasing due to their experiences with taking the time and effort to air their communities’ views, only to be ignored. The policy studies show the need to build citizens’ motivation and capacities to engage. The study on Bosnia and Herzegovina found that citizens were most likely to get engaged when they were interested in the issue, were informed about the opportunities to participate (using informal as well as formal routes), were invited to events at times and places that suited them, and were confident that the authorities would at least take into account the ideas they put forward.

Citizens also reported that their main reason for non-participation was the conviction that their suggestions would be rejected. In evaluating participation initiatives, the most important evaluation criterion for citizens everywhere is: “Has anything happened?” (Lowndes et al. 2001). The policy studies show, however, that responsiveness is not the same as “doing what citizens want.” It is a more subtle process of feeding citizens’ views into decision-making processes (which include political, professional and technical considerations) and providing feedback to citizens as to the final outcome

and the reasoning involved. That said, “quick wins” which respond to citizens’ pressing priorities can also play an important role in building confidence in, and commitment to, sustainable participation.

So, the interaction of supply and demand factors is at the heart of the present problem. The study on Bosnia and Herzegovina identifies a “vicious circle” in which there is a basic framework for participation in place, but a lack of effective systems and communication, leading to a low level of mostly unhelpful citizen engagement, and hence wasted investment. The challenge is to substitute this with a virtuous circle in which responsiveness on the part of policymakers stimulates further participation on the part of citizens, who are—in the process—educated about the limits, as well as the possibilities, of citizen engagement.

PARTICIPATORY SPACES—A RELATIONSHIP BETWEEN LOCAL AUTHORITIES AND CITIZENS

The key to breaking out of the vicious cycle lies in focusing upon the interaction between supply and demand. The studies establish that citizen participation is best understood as an ongoing and dynamic *relationship*, rather than a specific policy, event, or output. The study on Bosnia and Herzegovina develops the concept of “participatory spaces,” which are designed to facilitate organized interactions between local authorities and citizens in the policymaking process. “Spaces” include virtual as well as physical interactions, with the participation relationships facilitated via the internet and mobile phones, as well as the more conventional tools of meetings and questionnaires. Similarly, the Croatia study focuses on “places for dialogue” and the “participation membrane” that needs to be designed in such a way as to facilitate meaningful and sustainable interactions.

The study on Bosnia and Herzegovina shows that the design of participatory spaces is not only a technical matter; it is deeply political. Opportunities to participate are determined by those actors who create participatory spaces and delineate their boundaries. Certain groups will be included and others excluded, depending on where and when participation may take place, and its scope and style. Cornwall (2004: 2) differentiates between “invited spaces,” into which citizens enter at the behest of the state, and more organically formed “popular spaces” or “arenas in which people come together at their own instigation.” The policy studies argued for the involvement of civil society stakeholders in the design of participatory spaces in order to promote social inclusion and sensitivity to the needs and preferences of citizens themselves.

Participation is viewed in all the studies as a two-way process, in which responsibility for its success lies both with officials and citizens. The policy studies stress the need to build trusting relationships between political elites and citizens. Exhortations to partici-

pate will fall on deaf ears if citizens do not believe that they will be taken seriously. The Montenegrin study summarizes the present situation as a “lack of confidence on both sides, be it the local government doubting citizens’ intentions, or the citizens doubting the willingness of local officials to really consider their needs.”

MIXING IT UP—PARTICIPATION REPERTOIRES

Establishing effective interaction requires a broad range of mechanisms, combined in creative ways. The Montenegro study refers to a “chain of mechanisms” in successful cases, with public discussion (for instance) leading on to citizen petitions. Sometimes one method will build on another, as confidence and capabilities grow, or something new may be needed in responding to changing moments in the policy cycle, or new issues that arise. The variety of options for engagement is also important because some people are more comfortable with particular forms of participation. Research in the United Kingdom found that young people tend to like face-to-face facilitated group discussions, while working people tend to prefer engagement via online questionnaires, with public meetings being more popular with retired people (Lowndes et al. 2001).

However, the policy studies all point to the reality of citizen “apathy,” which often masks a lack of trust in those who invite participation. Active mobilization strategies are required: local authorities cannot expect citizens simply to come forward. Such strategies can take different forms: for one-off exercises, the use of incentives (e.g., small payments) can prove very effective, while for ongoing programs it may be possible to generate a sense of obligation and shared responsibility (akin to jury duty). A mixed model could involve some sort of “bargain” or “exchange”—for instance, enhanced services for those tenants who actively participate in housing management or neighborhood governance schemes (e.g., rent discounts or access to faster maintenance for tenants) (Bastow et al. 2007).

The policy studies considered a wide range of participation mechanisms but found that it is not possible to map particular approaches on to specific issues: a simple matrix is not possible. What is important is to establish clarity about the purpose of participation in each case; this will provide a guide to finding the most appropriate approach. So, if the aim of participation is to find out the views of citizens on a particularly complex policy issue, a standard opinion poll is unlikely to be suitable. In this case, citizens need to be informed about the issue and have time to reflect. Thus an approach that provides space for deliberation would be the best option—like a citizens’ jury or a “planning for real” exercise. Archon Fung (2006) identifies six modes of participation according to the extent of power and authority that is given to citizens, going from participatory settings where participants only get involved to reach personal benefits (rather than influencing public policy or action) to participatory bodies that exercise direct authority over public decisions or resources.

The policy studies show the importance of “anchor” structures which can form a repository of participation skills, experience, and social capital, like the Citizens Consultative Committees in Romania or the Citizens Advisory Boards and Youth Task Forces in Serbia. These bodies can become the guardians of a broader “repertoire” of participation methods that can be activated for particular purposes; they can also sponsor innovative projects on a one-off or pilot basis.

LEADERSHIP FOR PARTICIPATION

The policy studies emphasize the importance of *political will* in ensuring that citizen participation becomes institutionalized, rather than a “box-ticking” exercise. The Romania study shows that participation in deliberative forums was most successful when the mayor was present—for both symbolic and practical reasons. The mayor’s presence indicated that the forum was being taken seriously, and citizens felt that they had direct access to those with genuine power.

Research shows that sustainable citizen participation tends to be linked to open political cultures, in which local parties, and in particular elected councilors, make “a sustained attempt to open up their own structures, forge links with community organizations and pressure groups, and promote forms of non-electoral participation.” Interestingly, this reforming impulse was not the prerogative of any one political party (Lowndes et al. 2006). Participatory democracy is most likely to flourish alongside a vibrant representative democracy; it is not a competitor or alternative. For direct participation to have a real impact on policymaking, it needs to take place in the context of an open and confident representative politics, and a public management that is oriented towards user engagement and co-production. Innovation in representative politics, public management, and citizen participation are like three legs of a stool: if one is missing, the structure will collapse.

Participation allows citizens the opportunity to express their views on policy priorities or choices, but it is elected politicians (informed by their professional advisers) who take the final decisions. Political leaders need to learn how to translate citizens’ views into the currency of the policy debate, how to weigh up differing perspectives, and then provide accessible feedback to citizens. Such feedback is the key to nurturing ongoing participation, and is vital *especially* when final decisions will certainly involve disappointments for some sections of the community.

Leadership for participation is also important at the bureaucratic level. The Montenegro study argues that the ideal situation would be to institute a separate office for public participation within each municipality, in order to provide expertise, visibility, and resources for ongoing programs. But, given resource constraints, a “Citizens Participation Focal Point” within existing municipal arrangements is required to provide guidance

and undertake monitoring. As the Croatia study explains, work on citizen participation “will not be fully effective if there is no one in charge of it.” Citizen participation is not a *laissez faire* strategy—it is not about the state standing back or handing over decisions to the public. Sustainable participation actually requires carefully designed interventions and committed, professional champions to ensure that participation becomes part of the normal “common sense” of public policymaking.

FITNESS FOR PURPOSE—PRAGMATISM WITH AMBITION

The policy studies show that designing participation is not about finding “the best” mechanism but is about developing a range of approaches that are “fit for the purpose.” There is no point looking for “ideal solutions,” partly because of resource limitations but also because it is important to build in flexibility, so that participation approaches on the ground can be adapted to suit local contexts, respond to changing circumstances, and harness learning over time. The Montenegro study concludes that any participation programs must be affordable, supported by local government, and appealing to citizens. This last aspect is important. As the Council of Europe has noted, combating public apathy requires that we make politics “more, not less, entertaining.” Innovations should be assessed in relation to whether they make participation “easier, more interesting, and quite frankly, more fun!” (Council of Europe 2004: 89). Within this context, the policy studies emphasize the importance of “going with the grain”—that is, aiming to institutionalize participation in ways that are suited to local contexts—rather than trying to foist a standard blueprint on different communities, or on different types of policy dilemmas. Historical legacies, which may seem like obstacles to the introduction of new designs, can actually form building blocks for locally-specific approaches to participation. The Montenegro study identifies the *mjesna zajednica*—or communal self-government—of Yugoslav socialism as one such element. Although this mechanism lost its significance in the 1990s, there are attempts to revive it as part of a broad participatory repertoire (other studies are more skeptical, reflecting particular local contexts). Taking another tack, the Kosovo study argues that overcoming citizen apathy requires that we look backwards as well as forwards, seeking to recapture the vigor of the civil resistance of the 1990s, where a parallel system was born out of volunteering and public participation.

The policy studies reveal a “pause for thought” regarding the limitations, as well as the achievements, of formal blueprints for modern, democratic polities in the former Yugoslavia. While the democratic “hardware” is mostly in place, the “software: of new mindsets, skills, and political cultures is taking longer to evolve. Nowhere is this more true than at the level of citizens’ face-to-face engagement with public servants and politicians. But arguing for pragmatism is not the same as “anything goes.” The policy studies argue for rigorous programs of goal setting, action planning, monitoring, and

evaluation. The detail of designs on the ground can be left flexible if goals are clear and monitoring is in place. Too often in the past participation schemes have looked good “on paper,” but results have failed to materialize.

MULTI-LEVEL ACTION—EMBEDDING PARTICIPATION

To overcome the implementation gaps that have characterized participation policy to date, a “multi-level” approach is recommended in the policy studies. The Croatia study argues for “synergy and coordinated action” between levels of government. At the national level there needs to be active support for common minimum standards; having legislation on the statute book is not enough. The Croatia study recommends that Parliament adopt a code of good practice for citizen participation, sponsor a national award scheme for good practice at the local government level, and introduce a curriculum of ongoing training for local public servants in participation practices.

Strategic action at the national level should be combined with action plans at the municipal level, annual awards for local participation champions, and partnership arrangements with civil society organizations that can enable and support the mobilization of citizens. The policy studies point to the role of local authority associations in supporting the sharing of good practice between municipalities and ensuring that mayors and elected councilors take the agenda seriously. The study on Bosnia and Herzegovina identifies the importance of making “practical guidance” available to municipalities, including a typology of participation mechanisms and good practice case studies.

Most importantly, perhaps, local politicians and public servants need to understand that citizen participation can improve the quality of decision-making and policy implementation. Participation is not just the “icing on the cake.” it can become the “yeast in the dough!” Research shows that citizen participation can release new resources—in terms of human and social capital—which can increase the capacity of local governments to make difficult decisions about priorities, and design and deliver public services in a more effective and economical way. Although there are good democratic reasons for nurturing direct participation—including citizen education and social inclusion, there are also instrumental reasons (with clear incentives) for municipalities to institutionalize citizen engagement.

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Citizen Participation
in Bosnia and Herzegovina

Between Tradition and Transition

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EXECUTIVE SUMMARY

The topic of citizen participation in local decision-making in Bosnia and Herzegovina has been in the focus of international community, policymakers, and researchers in the last decade. However, the efforts are not proportional to the results achieved. The level of confidence and motivation of citizens to participate is decreasing mainly due to poorly organized participatory events and a lack of responsiveness by authorities. The main reasons for citizen passiveness are insufficient communication with the municipality (89.9 percent), lack of information about participatory mechanisms (69.2 percent), and citizens' lack of confidence that local authorities would take their opinions into account (69.2 percent).¹

This paper revolves around three dimensions of citizen participation: the *willingness of local authorities* to engage citizens in decision-making, the *ability of citizens* to have a voice and the *design of spaces* where participation takes place. Thus, it highlights a less examined aspect of citizen participation in Bosnia and Herzegovina—that of participatory spaces for interaction between local authorities and citizens.

The factors that affect the design of participatory spaces have been identified in the analysis of three cases where citizen participation was an important part of the processes related to local waste management, spatial and local economic development plan-making. All three case studies show the importance of the careful design of participatory spaces. A focus on design of participatory spaces turns to be needed since municipalities generally do not have established rules and procedures for effective management of participatory processes. One of the main reasons is the fact that valid legal provisions give preferences to indirect participation while direct citizen participation is not fostered. It is important to bear in mind that successful participation can be achieved if rules are written down, known to all sides and consistently respected. In addition to case studies, data collected in the opinion poll, i.e., people's voices, provide vibrant arguments for new policy options.

The study shows that local authorities with high political will to engage citizens are ready to allocate significant financial means for participatory events and public campaigning. Citizens become mobilized when they are interested in the topic, when participatory events are organized at times and places that suit them, and when they are confident that municipal authorities will take their ideas into account. Regularity and sustainability of participation is more likely achieved when the *space* between political will and citizen engagement is filled with a set of clear *rules* for participation (institutionalization of participatory mechanisms).

Therefore, this paper conveys a message to policymakers in Bosnia and Herzegovina that rules must be designed and put in force in order to substantively upgrade the quality of participatory decision-making. It argues for definition of participatory spaces which are socially acceptable, where the rules are known to all relevant actors and which contain

trust-building strategies, such as the intensive communication and regular feedback to citizens after participatory events.

The proposed policy solutions address the problem of insufficient normative guidance for local authorities on *how* to exercise participation and should result in higher efficiencies of participation processes, i.e., better utilization of resources invested in participation. *In the long run*, legal framework should be improved in order to ensure stimulating environment for citizen participation. However, *in the mid-term* it is important to address the problem of insufficient guidance for local authorities on *how* to exercise participation. The launch of clear guidelines by relevant ministries is one of possible measures that would foster citizen participation and institutionalization of appropriate spaces at local level in the mid-term (two to three years).

Institutionalization of participatory spaces is key to meaningful and sustainable citizen participation. The evolving legal framework and the existence of good local practices are sources of encouragement for redesign of policies that foster participation at the local level in Bosnia and Herzegovina.

LIST OF ABBREVIATIONS

BiH	Bosnia and Herzegovina
CCI	Centers for Civic Initiatives (nongovernmental organization in BiH)
EKN	Embassy of the Kingdom of Netherlands
EU	European Union
FBiH	Federation of Bosnia and Herzegovina (entity in Bosnia and Herzegovina)
LED	Local Economic Development
MDP	Municipal Development Project in Bosnia and Herzegovina, supported by the Swiss Agency for Development and Cooperation
NGO	Nongovernmental organization
OSCE	Organization for Security and Cooperation in Europe
OSF	Open Society Fund
PG	Partnership Group
RS	Republika Srpska (entity in Bosnia and Herzegovina)
SDC	Swiss Agency for Development and Cooperation
SIDA	Swedish International Development Agency
UNDP	United Nations Development Program
USAID	United States Agency for International Development

1. INTRODUCTION

In the last decade, the topic of citizen participation in local decision-making in Bosnia and Herzegovina (BiH) has been in the focus of the international community, policy makers and researchers. At the grass-roots' level, numerous international development agencies and multilateral organizations have attempted to foster the participation of citizens by educating citizens councils, NGOs, local governments, and journalists to cover local affairs. At the policy level, efforts have been made to reform public administration and harmonize the national laws and regulations with international law and EU standards. However, these efforts are not proportional to the results achieved. A recent survey of the obstacles to citizen participation in public affairs in BiH² revealed that the level of confidence and motivation of citizens to participate is decreasing mainly due to poorly organized participatory events and lack of responsiveness of authorities. The main reasons for citizen passiveness are insufficient communication with the municipality (89.9 percent), lack of information about participatory mechanisms (69.2 percent), and citizens' lack of confidence that local authorities would take their opinions into account (69.2 percent).

Likewise, surveys from other countries show that official participatory mechanisms are often inadequate and citizens quickly lose interest in participating. One of the biggest deterrents for participation is citizens' perception of a lack of response, i.e., the failure of authorities to explain the role that participants had in decision-making and how the final decision was made (Lowndes and Pratchett 2007). Therefore, problems related to the definition of adequate participatory mechanisms are being analyzed in different parts of the world: traditional mechanisms are being compared with modern participatory tools; direct and indirect citizen participation mechanisms are being checked for compatibility, and so on. This kind of research is undertaken in order to improve the quality of citizen participation, to ensure citizens' meaningful contribution to decision-making and to strengthen the concept of sustainable citizen participation as a part of the democratic culture in a particular society.

1.1 Underlying Concepts

This research is based on the belief that citizen participation enriches local-level democracy. Increasing what local officials know about the needs of citizens—while also giving citizens insight into the work of local government—plays a role in producing better policies. Consequently, policies developed and implemented with the participation of citizens are more likely to address the needs of those same citizens, are less likely to waste money and time on projects that citizens neither need nor want, and are more likely to receive broad popular support.

Citizen participation is a multi-dimensional issue. In practice, it can take different forms, happen in various situations, and involve numerous participants. Therefore, there are many different interpretations about the concepts, techniques and effectiveness of participation. To understand the arguments provided in this study for better policies for citizen participation in BiH, it is important to agree upon basic definitions.

The first definition is that of *citizen participation*. In social science, citizen participation denotes various means for the public to participate directly in the agenda setting and decision making of institutions responsible for policy development. This definition implies the interaction between the two main actors, public actors (from here onward public actors are generally referred to as *citizens*) and authorities (institutions). The definition also points to the institutional and organizational aspects of participation (the means). In line with the definition, this research revolves around the following basic dimensions of citizen participation at the local level: the *willingness of local authorities* to engage citizens in decision making, the *ability of citizens* to have a voice in decision making, and the *institutionalization of spaces* where participation takes place.

In the next step, it is important to introduce definitions of the underlying concepts of citizen participation. Based on the *flow of information* between authorities and citizens, citizen engagement can take the following forms (Rowe and Frewer 2005):

- *Communication* assumes that information is conveyed from authorities to citizens. Information flow is one-way; there are no a priori defined mechanisms for citizens' feedback.
- *Consultation* is a process initiated by authorities in order to collect information and opinions from citizens about a particular issue. Information flow is again one-way, from citizens to authorities.
- *Participation* assumes two-way information exchanges between authorities and citizens. As a result of dialogue and negotiation, the participants transform opinions about issues of concern. Hence, participation assumes composite processes, broad concepts, procedures, structures, techniques and tools.

Within the frame of these definitions, the objective of this research is to bring insight into one particular dimension of *citizen participation* in BiH—the dimension of *participatory spaces* for interaction between local authorities and citizens. The research explores the basic content of the rules and optimal conditions for setting the rules in such a way to ensure positive and sustainable participatory spaces. This paper conveys a message to domestic and international policy-makers in the country that a set of clear *rules* must be designed and put in force to ensure good organization of participatory events and provision of after-event feedback to participants.

Here, the *rules* refer to the definition of administrative processes and systems for decision-making that is the principal responsibility of the government, i.e., authorities.

In general, it is rarely understood that explicitly-defined administrative processes are a basic pre-requisite for positive participation. In this sense, the rules—explicit or implicit—shape participatory spaces, creating or influencing the social norms and power relations related to decision making.

The *participatory space* is a concept introduced here to denote mechanisms and tools which are designed to facilitate the planned and organized interaction between local authorities and to engage citizens in local policy making. Although “space” implies the physical interaction, in its broad sense this concept assumes different patterns of interaction (e.g., questionnaires, letters, emails, phone, text messages, internet, etc.) and different structures (e.g., traditional area-based structures such as Local Community boards in BiH or local multi-stakeholder structures and partnerships as modern structures) that facilitate citizen participation. Participatory spaces are opportunities for citizens to engage in local decision making. Since the nature of participation is clearly determined by the one who creates the space and invites certain groups to participate (thereby excluding others) (Gaventa and Cornwall 2001; Cornwall and Coelho 2007), the rules for citizen engagement should be carefully formulated in order to enable civil society stakeholders to significantly influence decision making.

In a democratic system the participation of all (all of the time) is not required; rather its defining characteristic is its openness to all. The value of openness does not require or assume large-scale and continuous direct participation. It rests its case on the richness of democratic practice and the availability of options for extending participation. These options should operate without making overwhelming time demands and in a way that enhances the broad representativeness of those involved.

(Lowndes, Pratchett, and Stoker 2006)

The *institutionalization of participatory spaces* focuses on how to embed the rules of participation within the municipal administration as an established norm and an important element of the municipal organizational culture. Specific questions arise about how to ensure that enough guidance for the management of participatory processes is provided to local administrations. How can one select participatory mechanisms and tools which are appropriate to use for different municipal issues: spatial planning, development planning, social and cultural affairs, communal issues, public services, and so on? Are traditional structures for participation more socially acceptable and more efficient than the emerging modern structures?³ How can one ensure that municipal authorities provide regular feedback about participatory events to citizens in order to build confidence that citizens’ ideas are taken into account? Thus, the central issue here is to consider the need for typology and the optimal mode for institutionalization of participatory spaces that lead to positive, meaningful and sustainable participation of citizens.

1.2 Locale

This research is conducted in Bosnia-Herzegovina—a Western Balkan country with an estimated population of 3.8 million. It is a country in transition from the devastating war in the early 1990s (after the demise of ex-Yugoslavia) to a stable peace now, and from the communist system to a liberal democracy, free-market economy, and pluralistic political system.

The Dayton Peace Agreement, signed in 1995, introduced a complex institutional structure in the country. There is the central state level, the two entities and the District of Brcko. One entity, the Republika Srpska (RS), is dominated by ethnic Serbs and covers about 49 percent of the total area. Another entity, the Federation of BiH (FBiH), is dominated by ethnic Bosniaks and Croats covering about 51 percent of the country. The FBiH is further divided into ten cantons. The multiethnic District functions as an independent and decentralized administrative unit in a small territory.⁴ Such complex structures, coupled with the legacies of communism, slow down reforms and the transition process.

The role of the international community in the democratization of the country is significant. Many international organizations have attempted to foster citizen participation in BiH.⁵ Some of them achieved good results in institutionalizing participatory mechanisms at local level; however, the overall result from the national perspective is not satisfactory. NGOs are mainly donor driven and mainly concentrated around urban centers. Their organizational level and capacities are often not enough to act as a strong partner and counterpart of public authorities. Citizen participation in local decision-making is still rather low in terms of number of people who participate and not satisfying in terms of quality of their inputs (CCI 2008, Kurtic 2009, Wagner 2007a).

Therefore, there is the need for BiH authorities at all levels to address the contemporary situation and remodel existing policies for citizen participation.

1.3 Methodology

The main research question of this study boils down to how can participatory spaces be designed to foster meaningful, positive and sustainable citizen impact on local government activities? The paper intends to offer new policy options for institutionalization of participatory spaces at local level and accordingly recommend immediate measures for main decision makers in BiH.

The analysis takes into account findings from the Centres for Civic Initiatives (CCI) *Reports on the State of Citizen Participation in BiH* from 2006, 2007, and 2008 for assessing the valid legal framework, general trends and obstacles to citizen participation in the country. Yet the bulk of the research is based on case studies, i.e., on the qualitative

analysis of several participatory processes in BiH, by focusing on the basic dimensions of citizen participation (see Section 1.1):

- The willingness and capacities of local authorities to engage citizens;
- The ability of citizens to participate, including their motivation;
- Variety and level of institutionalization of participatory spaces employed (including communication channels used and existence of feedback given to citizens about the process).

The cases were selected on the basis of the following criteria:

- Focus on municipalities with predominantly rural areas, since the rural population is deprived of many rights in today's Bosnia and Herzegovina;⁶
- Representation of the different legal and institutional frameworks in the two different entities in Bosnia and Herzegovina;
- Municipal authorities with considerable experience in exercising participatory spaces.

The selected cases are located in two municipalities: Dobož Jug is in the FBiH entity and Petrovo in the RS. Both municipalities participate in the Municipal Development Project (MDP),⁷ which has been financed by the Swiss Agency for Development and Cooperation (SDC) since 2001. Hence, they received foreign donor support to upgrade the main institutions of governance, including citizen participation. Both municipalities are rural and relatively small. However, the richness and intensity of their participatory practices provided for interesting analysis of the participatory spaces and innovative elements employed in different municipal processes.

The entity Constitutions and Laws on Local Self-governance provide for different legal and statutory regulations for citizen participation in these two municipalities. Two cases were analyzed in the context of Petrovo; they address the local issues where citizens were engaged in decision-making: the communal issue (waste collection) and strategic planning (local economic development (LED) strategy making). One case, which addresses spatial planning, was analyzed within the legal and institutional framework of Dobož Jug.

The case studies provide analysis of the nature, mechanics and *design of participatory spaces* with aim to identify the success factors and limitations for effective participation. Since simply creating spaces will not lead to participation (Cornwall and Coelho 2007), the analysis also looks at the other factors of the process: *local authorities' will, administrative capacities to engage citizens, citizen motivation, citizens' capacities to participate, communication and responsiveness, and the legal framework.*

The following data collection methods were used:

- Desk review of the available legal documents, relevant country statistics, surveys, contemporary research, opinion polls, reports, etc. Municipal policies and documented participatory processes were specifically studied in order to analyze the mechanics of participation in real-life cases.
- Questionnaires were conducted with representatives of the five target groups: citizens, councilors, members of the Local Community Councils, representatives of the private sector and public institutions in the two case municipalities. The total sample included 193 persons. In Petrovo, the questionnaire was conducted with 100 citizens, nine councilors, four members of the Local Community Councils, 12 representatives of the private sector, and 18 from public institutions. In Dobož Jug, a total of 50 persons were interviewed for the questionnaire conducted, 10 from each target group. The questionnaire findings were compared against relevant data from the CCI reports.
- Semi-structured interviews: five interviews with representatives of local authorities in the two cases of municipalities (mayors, municipal officers in charge of civil society issues, president of one Local Community Council in Petrovo) and one representative of the cantonal ministry in charge of local self-governance.

The specific objective of the questionnaire and interviews was to assess the current attitudes of local politicians, opinions of citizens and the most acceptable design of participatory spaces in the case municipalities. A combination of original, up-to-date statistical data and citations from citizens and local politicians provide vibrant arguments in the study.

Summarized findings served to identify the conditions under which local politicians find it in their best interests to involve citizens in decision making, identify the incentives⁸ which make citizens participate in local affairs and their capacities for participation. Finally, the aim was to explore social acceptability of traditional and new participatory institutions.

In the final stage of the research, valuable information was obtained through peer exchanges with experts from national NGOs, international organizations, academia, and cantonal and entity ministries. They provided a critical view on the capacities, incentives, and participatory spaces at the local level and contributed to the policy analysis.

Roadmap

This Section is followed by an overview of the participatory traditions in BiH, the legal and institutional framework in Section 2. The case studies then reveal the mechanics of participation and allow for analysis of factors that affect the design of participatory spaces (Section 3). The data collected in questionnaires and interviews in the case municipalities as well as country-wide surveys complement the analysis and prepare grounds for policy analysis in Section 4. Policy options are presented and analyzed in Section 5, while recommendations and conclusions are provided in the final sections (Section 5 and Section 6, respectively).

Summaries are given at the end of Sections 2, 3, and 4, in shaded boxes, in order to recapitulate the sections and introduce the next point.

2. THE COMPLEXITIES OF BOSNIA AND HERZEGOVINA

2.1 Remnants of the Past: Gift or Burden?

In the pre-war socialist Yugoslavia, local democracy was exercised at the level of Local Communities,⁹ which were a part of the governmental system in accordance with constitutional provisions. From 1970 on, Local Communities exercised local authority that was delegated to them by the municipality. Local Communities had administrative functions (issuance of birth certificates, death certificates, identity cards) and a power to influence decision making in planning and implementation of infrastructural projects. They were represented within decision-making processes at municipal level. Each Local Community was constituted as a legal entity that enabled it to hold rights, e.g., over municipal property, to open a bank account, to collect user fees or rents for public buildings or services. Citizens could decide on forming a Local Community by referendum. In addition, citizen assemblies and initiatives were commonly used participatory mechanisms. The tradition of local self-governance is therefore strongly rooted in BiH.

After the war (1992–1995), Local Communities lost their administrative and legal positions and today they are rather “semi-official associations established on a voluntary basis” (UNDP BiH, 2005). They are not defined by constitutional provisions. As a result, Local Communities have not been established in some areas.¹⁰ The Local Communities were intentionally neglected as communist relicts and municipalities took over major competences and tasks of local self-governance. Today, the actions of the international

community and the national authorities are pointing more towards strengthening of Local Communities as a step towards higher decentralization.

In the postwar period the participatory traditions have not been utilized. It has been rather difficult to mobilize citizens for active participation, mainly due to the lack of capacities for participation on the side of both, citizens and local authorities, low bottom-up pressure on decision-making of higher levels, the lack of social capital, and slow nation-building process. Furthermore, due to war migrations, citizens still do not fully identify with their places of living.

The new social and political system requires new ways of mobilizing citizens and fostering their participation. Today, we need a variety of opinions which is contrary to the former communist requirement for a narrow range of politically correct ideas. It is of crucial importance to drop such relicts of the past. The municipal administrative employees should build their capacities and citizens should be educated through public campaigns so that both meet the new requirements.

(Ruzica Jukic-Ezgeta, Zenica-Doboj Cantonal Ministry of Justice and Governance, personal interview, April 6, 2009)

Today, BiH is still a case of third-party state building.¹¹ International organizations with a peace-keeping mandate reoriented their actions and started to play a role in the democratization process. Consequently, democratic institutions are imposed rather than developed bottom-up.

Currently, there are no other sufficiently developed mechanisms in BiH that would compensate for diminished importance of Local Communities. It is the fact that "...the institutional strength of Local Communities and community cohesion are not reflected in other participation mechanisms" (Bajrovic and Stojanovic 2008).

Although Local Communities are an extremely important participation space as they represent the interests of the vulnerable groups, in particular, of rural population and returnees, their legal status and functions in decision-making have to be adapted to the new demands that BiH is facing on the road to EU integration.

In the last decade, a variety of new, modern forms of governance is emerging in practice in order to involve all sectors of society in shaping measures and projects and to promote innovative approaches to social inclusion. This should help BiH to rise to the challenge of building new institutions for citizen participation on the foundations of traditional participation culture.

2.2 Current Policies for Citizen Engagement

Direct citizen participation is a political right which must be guaranteed to all citizens of BiH based on the fact that the country ratified the package of international and EU human

rights laws.¹² This right is in-built in the valid entity laws on local self-governance which are harmonized with the European Charter on Local Self-Governance. However, this research indicates that it still needs to be applied in participatory spaces at the local level.

As mentioned earlier, Bosnia-Herzegovina has a complex state structure. Under the state level, there are two entities, the Federation of Bosnia and Herzegovina (FBiH) and the Republika Srpska (RS), and the District of Brcko with a special status. The FBiH entity is subdivided in ten cantons where cantonal governments and parliaments are elected at general elections. The RS entity is subdivided in six administrative regions but they do not act as a middle level of government. Municipalities in both entities are defined as units of local self-government. Finally, Local Communities (city districts or village level of local self-governance) are non-compulsory in the RS, while they are mandatory structures in the FBiH.

The legal framework mirrors the complexity of state structures. Table 1.1 gives an overview of key legal documents and comments regarding provisions for direct citizen participation.

Table 1.1
Key Legal Documents for Direct Citizen Participation

Level of government	Legal document	Existence of provisions regarding direct citizen participation
State level	BiH Constitution	No provisions. Direct citizen participation at state level is possible on the basis of ratified international conventions.
	Rule Book for work of the Parliamentary Assembly of BiH	Provisions stipulate transparency in work of this body and optional consultations with relevant parliamentary commissions. Public hearings are initiated only for constitutional changes.
Entity level RS	RS Constitution	Provisions enable citizens to initiate procedure for legal changes in the National Assembly of the RS. In addition, citizens can be engaged when the National Assembly opens a referendum on specific issue.
	Rule Book for work of the National Assembly of the RS	Provisions stipulate optional public hearings for draft laws
	RS Law on Local Self-governance	Provisions specify traditional mechanisms for direct citizen participation (referendum, citizen meeting, citizen initiative, Local Community, citizen panels, "citizen hours" in municipal assemblies) and are open to other mechanisms which do not violate the law.

Level of government	Legal document	Existence of provisions regarding direct citizen participation
Entity level FBiH	FBiH Constitution	No provisions
	Rule Books for work of the House of Peoples and the House of Representatives of the FBiH	Provisions stipulate public hearing and citizen initiative for legal changes.
	FBiH Law on the Principles of Local Self-governance	Provisions specify traditional mechanisms for direct citizen participation and are open to other mechanisms which do not violate the law.
Cantonal level in the FBiH	Cantonal Constitutions	No provisions
	Rule Books for work of cantonal assemblies	Provisions stipulate public hearing and citizen initiative for legal changes.
	Cantonal Laws on Local Self-governance	Provisions specify traditional mechanisms for direct citizen participation (referendum, citizen meeting, citizen initiative).
Municipal level	Municipal Statutes	Provisions specify traditional mechanisms for direct citizen participation (referendum, citizen meeting, citizen initiative, etc.) and only very few mechanisms are defined in detail. It rarely happens that municipalities institutionalize innovative mechanisms for citizen participation.
	Rule Books for municipal work	Provisions specify transparency of municipal work and define public hearing as an optional procedure in decision-making at the local assembly.
Local Communities	Local Community statutes or Rules for Local Community work	Provisions specify traditional participatory mechanisms at Local Community level (public meetings, referendum).

Source: CCI.

There are signs that state institutions and entity governments are making efforts to institutionalize public consultations in law-making procedures. BiH Council of Ministers passed the *Rules for Consultations in Legal Acts*, in October 2006, which are binding for state ministries and institutions. The RS Government passed *Guidance about Public Consultations and Participation in Law-making*, in December 2008, which is binding for RS entity ministries and administrative bodies.

The key domestic policy document on local governance, the *Local Self-governance Development Strategy in BiH*,¹³ addresses the issue of citizen participation in its Strategic Goal 5, which states that local governments should *attain a high level of citizen participation in public affairs*. While this strategy has been respected by many donors

(USAID, UNDP, SIDA, EKN, OSF, SDC) and the BiH entity associations of cities and municipalities, no significant effects have been evident at the local level. In 2008, the RS Ministry of Governance and Local Self-governance initiated the Strategy for Local Self-governance. This strategy was made and passed by the RS government and Parliament in the first half of 2009. This document contains a strategic goal for upgrading citizen participation, which could be a good opportunity for introduction of new solutions for citizen participation in one BiH entity.

The valid laws anticipate mainly indirect participation of citizens in decision-making, i.e. through elected representatives. Consequently, there are numerous laws in both entities which affect citizens' lives but do not specify the obligation of local (or higher) authorities to consult or engage citizens in decision making. However, the laws passed in the last three to four years anticipate direct citizen participation, mainly in the form of *consultation*.

The entity laws that regulate local self-governance have been brought into accordance with the European Charter on Local Self-governance. Both laws suggest a variety of participatory mechanisms, such as referenda, citizen initiatives, Local Community organizations, citizen panels, and so on, while opening a possibility for local authorities to apply any other appropriate mechanism which is not in violation of valid laws.¹⁴ The Laws do not assign responsibility to local governments to develop participatory tools and procedures. Several traditional mechanisms for direct citizen participation are regularly defined in municipal statutes while a few advanced municipalities have defined some innovative mechanisms.

The legal acts at the local level are much more sensitive to the issue of citizen participation, and the most detailed specification of participatory mechanisms is provided in municipal statutes, which are harmonized with valid laws on local self-governance. The most common mechanisms specified in municipal statutes are referenda, citizen meetings, citizen initiative and Local Communities. Few municipalities have institutionalized innovative mechanisms for citizen participation.

Although there is room for improvement of current laws and policies, valid legislation principally defines the local governments' responsibility to engage citizens in decision making. The most critical problem in such situation lies in the fact that the legislation does not recommend pragmatic means for the enforcement of participatory mechanisms by local administrations. In other words, besides saying *what* needs to be done, there is not enough normative guidance for local authorities on *how* to exercise participation.

2.3 Dynamics at the Local Level

Based on the imperfect but non-restrictive nature of valid laws, advanced BiH municipalities have achieved evident successes in finding the ways to engage citizens in decision

making and institutionalize participatory spaces. Some successful experiences have been achieved with support of international donors, and others by municipalities alone or as a joint effort of different stakeholders. The more effective and more sustainable results are achieved in municipalities where management is characterized by strong leadership, commitment and accountability, i.e., where new solutions were not imposed by external actors but were created inside the community (Jevdjovic and Miovcic 2009).

Citizen participation in decision making is neither an ultimate part of a specific type of democracy nor a binding result of the decentralization process. It is rather attributed to the advanced level of accountability and effectiveness in delivering local services.

(Swiss Agency for Development and Cooperation 2008)

The two types of successful experiences will be illustrated in the following subsections. The first shows an example of institutionalization of public hearings as a traditional participatory space in BiH. The second practice speaks about modern participatory space—the partnerships for local development—which is commonly and effectively used for local development strategy-making, but its sustainability is arguable due to the lack of institutional strength.

2.3.1 Rules of the Game Have to Be Fair and Known to All Players

In addition to the statutory definitions, there are municipalities in BiH that adopted municipal decisions to define specific participatory spaces in detail and facilitated the professional management of participatory processes. Some of them did so with the support of national NGOs or international organizations.¹⁵ As a result, about one-third of BiH municipalities¹⁶ have adopted the following decisions:

- Decision on public hearing procedure which specifically defines the feedback mechanism so that authorities are obliged to send feedback to participants of public events
- Decision on opinion polls (surveys) in Local Communities for problems/projects prioritization with criteria
- Decision on NGO projects selection procedure with criteria.

In such cases, municipalities introduced rules and institutionalized three specific mechanisms that upgraded the transparency and quality of citizen participation in their localities. For example, the fact that after-event feedback to citizens is defined as an obligation of local authorities, i.e., organizers of participatory events, significantly

improves the effects of the *Decision on Public Hearing Procedures*. A report about effects of this decision in the municipalities of Dobož region says:

Citizens use opportunities of direct participation more often, including public hearings at which they take a more active role in discussions. Their higher understanding of direct participation mechanisms and their own rights and functions increase their interest in participating.

(Wagner, 2007b)

However, the *rules* are neglected in some municipalities, i.e., decisions are only partly implemented. The mayor of Petrovo identified room for improved enforcement of municipal decisions in this municipality: “We have to improve our human resources management as well as our external communication. If we work hard, the real effects will be felt in several years” (Zoran Blagojević, mayor of Petrovo, personal interview, April 7, 2009).

In conclusion, there is the need to upgrade municipal capacities, especially human resources and communication capacities, for the consistent implementation of valid rules. Also, there is the need to set or particularize rules for other participatory spaces—especially informal spaces—either through decisions or statutory obligations.

2.3.2 Emerging Practices: Are Citizens Ready for Novelty?

Another type of practice is related to the use of new, modern ways of participation at the municipal level that are not specified in laws and often not regulated by municipal acts. This is the case with local partnerships, i.e., multi-stakeholder structures for local development. Such structures are usually established by municipalities during the process of local development strategy-making.¹⁷

Modern methodologies for strategy-making contain guidelines for the establishment of structures and organization of processes which should ensure transparency of municipal work, participation of different stakeholders in the process, community ownership over the process, and the sustainability of results. Such bodies are usually called partnership groups, forums, or municipal development planning committees. In some cases, these bodies have limited membership, and they are formally appointed by the mayor or municipal assembly, who makes their action plans. In other cases, partnerships are flexible structures open for new members who sign the memorandum on partnership as the minimal formalization of the body.

However, findings of this research indicate that local partnerships are rather perceived as a part of planning methodologies and temporary structures than as an important participatory mechanism for local development. The meetings are convened in accor-

dance with guidelines given for strategy-making and the potential of partnerships is not utilized afterwards. Participants in strategy-making processes are often not informed about all stages of the process (e.g., about final adoption of the document, its final shape, how the implementation is going, etc.). This means that the feedback is not regulated, which exhausts the energy, creativity, and expertise that partners bring to the process.

One reason for the lack of sustainability of local partnerships is in the fact that municipal administrations are not used to managing partnership relations over time, which diminishes the effects that these bodies would have on local development. The rules for deliberation and negotiation in partnership groups should be explicitly defined, as well as the periodicity of meetings and authority for decision-making in the partnership. Such requirement means that a sustainable local partnership needs stronger institutionalization, i.e., a clearer set of rules, than is the case with existing practices.

Summary

This section has described the general background information about BiH, details about participatory traditions in the country, and its valid legal framework for citizen participation.

It can be concluded that participatory traditions provide a good basis for development of new participatory spaces. The legal framework is evolving to support this process but still needs improvement to ensure a higher level of democratization. There are positive elements in the state and entity policies for citizen participation, which can encourage policies that foster participation at local level.

Yet another source of encouragement comes from the good local practices that have been achieved in BiH municipalities. A brief illustration of such achievements in this section raised the issue of institutionalization of both traditional and modern participatory spaces. A more detailed analysis of this aspect will be made on the basis of three case studies, in the next section.

3. SOME GOT IT RIGHT!

As described earlier, citizen participation in the selected cases was exceptional in the vast amount of energy that local authorities and citizens invested in *information*, *consultation*, and *participation* endeavors. The analysis here is the first stage of the research that is based on the desk review of available municipal documentation. It shows that the processes under consideration produced considerable effects in terms of *fairness* (public acceptability, equity, democracy, transparency, and representativeness) and *efficiency in*

achieving the intended purpose (meaningful engagement of citizens in municipal planning of waste management, LED, and spatial issues).¹⁸

3.1 Case 1: Design of the Waste Collection Scheme in Petrovo

Petrovo municipal data:

Area: 162 square kilometers

Population: about 10,000

Number of local communities: 7

Description of the participatory process

Until 2004, there was no organized waste collection, transport, and disposal in Petrovo. Impromptu dumps were scattered all over the place. Citizens recognized the problem and identified it as priority in the opinion polls carried out by the municipality. Therefore, citizens gave strong support to the project for design of the local waste collection system. In order to get the useful parameters (inputs) for the system from citizens, local authorities organized an information campaign in spring 2004. They were very proactive in educating citizens about waste issues, mainly through public meetings and media. A specific part of the campaign was a public waste cleaning action that became a traditional spring event under the name “April—The Month of Clean Petrovo.” The campaign significantly raised citizens’ motivation to participate in the waste collection system, i.e., their willingness to pay, and participation in cleaning actions. The mayor had a leading role in all public relations activities, and all public institutions and representatives of different political parties supported the project and even took part in the cleaning actions shoulder-to-shoulder with citizens.

The concept of user involvement in service provision, i.e., co-production,¹⁹ is a significant characteristic of the waste management in Petrovo. The weak municipal capacity to provide adequate waste collection services has been compensated by citizen involvement in public cleaning actions (“production stage”). The citizens’ work invested in community welfare is likely to result in bigger social capital in the long run (Needham 2007).

Legal framework: The entity Law on Waste Management says that local waste management plans are to be made by the relevant local bodies in cooperation with private sector and environmental NGOs. There is no specific legal condition about citizen participation in such a process. It can be concluded that the legal framework neither fostered nor hindered the success of this project in Petrovo; the commitment of local authorities and enthusiasm of citizens were the main driving forces.

Final results: About 30 percent of households in the municipality are covered by waste services. Waste collection schedule is made and respected. The majority of wild dumps have been cleaned in the community cleaning actions, and this visible change has had a very positive impact on citizen perceptions. The set-up of the waste management system in Petrovo, where the basic parameters were decided on the basis of citizens' inputs, upgraded municipal efficiency and transparency. Relations and communication between the municipality, waste utility, and citizens have improved.

Analysis against the three dimensions of participation:

- **Local authorities' will:** There was high commitment of municipal leadership throughout the process. The actions continued even after the change of leadership in the local elections in BiH in 2004.
- **Administrative capacities to engage citizens:** Thanks to the political support, the municipal administration smoothly organized all activities. A municipal multi-stakeholder and multi-disciplinary team was established for the project to ensure a holistic approach to finding solutions. One team member was from the NGO sector; he provided technical support mainly for campaigning. Enthusiasm of the team to work on the project and their role in project design and implementation is of crucial importance.
- **Citizen motivation:** Participation of all sectors of society—municipality, Local Communities, medical institutions, shops and businesses, NGOs, young and old—in decision-making has been ensured from the start and led to sustainability. Their motivation to participate was raised primarily by the nature of the waste issue, which citizens feel to be a major problem.
- **Citizens' capacities to participate:** Then, the information campaign upgraded citizens' capacities to provide meaningful inputs. The participatory approach and citizen orientation are the most radical changes in the municipal practices that fostered citizens' acceptance of the system and their willingness to pay.
- **Communication:** The information campaign, undertaken by local authorities with the aim of educating citizens and raising their awareness of waste, was an excellent strategy in motivating citizens to participate. The mayor had a leading role in public relations activities; he would lead public discussions in all Local Communities and public institutions during the information campaign and take part in cleaning actions together with citizens. *Feedback* is regularly provided to citizens who participate in different events, mainly through municipal bulletin, public speeches of the municipal officials, media, website, etc. Therefore transparency and accountability were ensured through systematic monitoring of project activities; reports have been regularly promoted (mainly through a municipal

bulletin that is distributed to citizens for free), including especially photos of the waste dump locations before and after the cleaning actions.

- **Variety and level of institutionalization of participatory spaces employed:** The municipality used a range of participatory spaces: citizen opinion polls, multi-stakeholder project teams, public hearings, public meetings, competitions for households (the most beautiful garden) and school children (best drawing and essay about clean environment), cleaning actions (co-production), Local Communities (area-based mechanisms). Area-based participation, i.e., through Local Communities, is very important for decisions on communal issues such as waste. Citizens are usually rather well-informed about communal topics, they feel the urgency to resolve communal problems and it is therefore easy to mobilize them for participation. Regarding institutionalization of participatory spaces, the procedure for public hearings was formally passed by the *Decision on public hearing procedure*, in 2006. The Local Community and public meetings have been defined in the municipal Statute, while the remaining tools followed *ad-hoc* procedures.

3.2 Case 2: Local Economic Strategy Making in Petrovo

Description of the participatory process: In 2005, the Petrovo mayor and municipal assembly reached the consensus to initiate creation of a Local Economic Development (LED) strategy. The process of strategy-making followed a modern methodology with five planning stages²⁰ which lasted about one year. The whole process was supported by an external consultant.

The first stage assumes organizing local forces for strategy-making. The municipality established two structures: the multi-disciplinary municipal *team for local development* and the *Partnership Group* (PG) which brought together representatives from the public, private and non-governmental sectors. These two bodies were entrusted with clearly defined roles; the team was working on technical issues related to strategic planning while the PG steered, evaluated, and complemented the document.

Upon establishment of the team, its members identified those persons who could contribute optimally in the strategy-making process and form the core PG while taking care of representation by all segments of society. The majority of invitations for the core PG members were made in person in order to use the direct contact to explain the strategy making process and the PG role. The inaugural PG meeting was a large forum of about 60 persons. The idea of PG was to extend membership to as many interested persons as possible. All PG members signed the Agreement on Partnership, which defines the PG role. There was huge interest of different stakeholders to participate in the work

of PG; at the end of the strategy-making process the PG registered 70 members. The structure of this body reveals equal representation by all three sectors as well as significant representation of women, youth, and respected community members.

The meetings were scheduled in the moments of transition from one stage of the strategy-making to another. Meetings of the PG were held in the afternoon—choosing the time that best suited the majority of members. It was envisaged that the PG leadership consisted of one president and two vice-presidents who would represent all three sectors. The president was elected from the private sector by reasoning that the private sector should have a leading role in LED.

As a part of its socio-economic analysis, the two *focus groups* were convened to enrich the situation analysis with soft data from entrepreneurs and agricultural producers. In addition, *questionnaires* were sent to the main private sector actors to improve the quality of data. These mechanisms were not employed simply for data collection purposes but for strengthening relations and confidence between municipality and specific local stakeholders (entrepreneurs and agricultural producers). This is why they are considered as additional participatory spaces employed in this process.

The draft LED strategy was produced by the team and approved by the PG. Then, it was sent for public hearings in all seven Local Communities. According to the municipal officers, the citizen presence was satisfactory, 20 persons on average per Local Community, which is higher than the usual citizen response since the participatory space was close to the people. The main value of this stage of the participatory process was to inform citizens about the content of LED strategy and effects it may have on their lives. Participants did not offer ideas and suggestions for substantial changes of the document. The final LED strategy was unanimously passed by the municipal council at the end of 2006.

Legal framework: The entity Law on Local Self-governance specifies the local authorities' responsibility to create developmental strategies and *inform* the public about annual plans and achievements. *Consultation* of public about general municipal acts is mentioned as an option for local authorities while *participation* is not legally defined for the strategy-making process.

Final results: The Petrovo LED strategy was developed in a participatory way. Besides the high quality of the document, this process contributed to the community integration and upgraded municipal capacities for future participatory processes. The consensus achieved by relevant municipal stakeholders during strategy-making ensures political and community support for its implementation.

Analysis against the three dimensions of participation:

- **Local authorities' will:** There was high commitment of the municipal leadership throughout the process. The local political support and consensus was easy to gain thanks to the fact that the PG included representatives of all three sectors and was chaired by a private sector representative (non-political approach).

- **Administrative capacities to engage citizens:** Administrative capacities for organization of participatory events were supported by an external consultant, especially for preparations and managing PG meetings. However the municipality had less experience and skills in moderating and managing large meetings. The mayor of Petrovo recognizes the lack of municipal experience in managing long-term partnerships:

It is worth gathering the local partnership for complex issues. Then, we can take advantage of the knowledge and expertise which different stakeholders bring in the process. However, such practices are new, building partnerships is a difficult exercise and we need to build awareness and capacities for modern ways of participation.

(Zoran Blagojevic, mayor of Petrovo, April 7, 2009)

- **Citizen motivation:** Participation of all sectors of society—municipality, Local Communities, medical institutions, shops and businesses, NGOs, women, young and old—has been ensured from the start, especially through the PG.
- **Citizens' capacities to participate:** The municipality, with the support of an external consultant, prepared an informative and educational introduction for each PG meeting. The written materials were prepared and distributed to all PG members a minimum of seven days before each meeting. Thanks to this, PG members were in a position to lead educated discussions.
- **Appropriate communication channels** were established by the municipality towards PG members (face-to-face invitations), Local Communities and citizens. *Feedback* was regularly provided to stakeholders who participated in different events, mainly through municipal bulletin, public speeches of municipal officials, reports from public hearings (distributed through Local Community Councils), media, website, and so on.
- **Variety and level of institutionalization of participatory spaces employed:** The municipality used the following participatory mechanisms: partnership group (local partnership for LED), multi-disciplinary municipal team for LED, questionnaires, focus groups, public hearings, and Local Communities (area-based mechanisms). Area-based participation in combination with local partnership is working, i.e., a combination of traditional and modern participatory mechanisms proved a very effective approach to local development planning (strategic process). Creative work was driven by the partnership while broad dissemination of the document was ensured through the most appropriate channel that citizens know (Local Community). In terms of institutionalization, the PG members signed the Agreement on Partnership, a statement about the commitment of members to contribute to local development and to adhere to the principles of partnership rather than

a set of rules for local partnership. For example, it does not define the conditions for membership, management structures, decision-making procedures, regularity of meetings, etc. The process of *consultations* about the draft LED strategy through public hearings was regulated by the municipal decision on Public Hearing Procedures, which certainly ensured a systematic approach especially for sending feedback to participants. Local Community is defined in the municipal Statute as a traditional participatory mechanism.

3.3 Case 3: Spatial Plan Making in Doboj Jug

Doboj Jug municipal data:

Area: 10.5 square kilometers

Population: about 4,000

Number of local communities: 2

Description of the participatory process: At the beginning of 2005, Doboj Jug municipal authorities initiated the process of spatial plan making in order to create preconditions for local development. They were convinced that

In new, democratized social and political conditions spatial plan is not only an expert question, it is foremost an issue of interest for people who inhabit a certain territory, who live there or plan to live there, who find meaning in it and for which they are emotionally attached.

(Kurtic 2007)

From the beginning, the Municipality showed its intention to assure good quality involvement and contribution of citizens in the process. The local authorities decided to apply a new model of spatial planning,²¹ which differed from the traditional model in that it involved citizens in early phases of preparation of a spatial plan draft. In previous times, spatial planning was traditionally reserved for experts from different fields. The plan for citizen participation was made in cooperation with an experienced NGO from Tuzla (BiH). It was conceptually envisaged as a partner dialogue among municipal bodies, the urban institute and citizens with facilitation support from the Tuzla NGO.

At the operational level it meant organizing two rounds of informative and promotional campaigns aiming at preparing citizens to take part in public consultations in a qualified way. In the first round citizens gave inputs and discussed the pre-draft of the spatial plan. In the second round, citizens were consulted about the draft of the spatial plan.

It was decided for the promotional message to recall emotional, rational and ethical dimensions of citizens' relation towards the new situation (possibility of being involved).

The final version of the message was the following:

“I will get involved in the spatial plan making process in Dobož Jug municipality because I love my place. My children will live here too. I have no right to stand aside while others are making effort to progress.”

There were various possibilities for citizens to learn more about the spatial plan and to influence its final shape: taking part at public meetings in both Local Communities; through panel discussions for business, agricultural and NGO sector, and sending their letters with suggestions and remarks to the Municipal Plan Council. Public tribunes and panels offered a real chance for citizens to take part in the process, to express their opinions (reflecting their individual and/or collective situations and interests), suggest solutions and participate in setting the hierarchy of priorities.

The spatial plan was officially passed by the Municipal Council in 2007 after a two-year process of technical design, public consultations and participation.

Legal framework: The Cantonal Law on Spatial Planning²² opens the possibility for a municipality to establish a Plan Council as a multi-stakeholder body composed of experts, scientists, public figures, Local Community representatives, higher authorities, and so on. The Plan Council ensures professional guidance, and directs and conceptualizes spatial planning. In addition to the law, the FBiH Unique Methodology for Creation of Spatial Planning Documents prescribes an early engagement of citizens (*participation*) in spatial planning. Therefore, the legal framework fostered citizen participation in this case.

Final result: It can be stated with certainty that Dobož Jug citizens significantly influenced final solutions in the spatial plan. There were several disputed issues between the municipal administration, councilors and citizens. An example of the citizens' initiative for changes in the draft Spatial Plan is given in their address to the mayor, as follows:

Citizens of Local Community Matuzici, some municipal council members, and some entrepreneurs interested in investing in the area, demand from the Municipal Mayor, municipal bodies as well as from the Cantonal Urban Institute to plan a business zone instead of the agricultural zone in the north part of the municipality and to set the total balance right by categorizing land on hills as agricultural because it is suitable for growing fruits and cattle breeding. Taking into account the number of citizens participating in the discussion about this issue, argumentation of suggestions, expressed motivation to fight for their suggestions, and the possibility to vote against the plan, we believe that the spatial plan architects need to take all available measures to meet these requests.

This initiative triggered extensive negotiation between local authorities, cantonal and entity governments about legal options for change in the categorization of land.²³ The experts from the Cantonal Urban Institute understood citizens' interests and were ready to incorporate final governmental decisions into the Spatial Plan. Finally, the

interests of citizens and the business sector were met in this case as well as in several other disputable cases.

The final report about the Spatial Plan-making process, produced by the Tuzla NGO, says “that the Spatial plan Draft basically reflects thoroughly analyzed resource potentials as well as needs and expectations of citizens expressed during the public consultation process.” This report was accepted by the Plan Council and the Municipal Council.

Thus, the process revealed the complexity and challenges related to precise overall planning and ensured good communication between municipal administration, urban institute and citizens. Success was achieved thanks to the sincere commitment of municipal staff and authorities to the idea of democratization of public policies.

Experiences with citizen engagement are today particularly successfully used by Doboju administration for public consultations on the municipal budget. Sustainability of results is also seen in the fact that today the municipality keeps records about public hearings in each department. Such records are used for informed decision making. In the earlier period, there was no systematic monitoring and reporting about public hearings. Moreover, municipal administration fosters and monitors citizen activism in general. For example, they keep track of the number and type of comments or questions asked by citizens during radio live broadcasts about municipal issues (e.g., the regular weekly hotline with the mayor) and the number of visits at the official municipal website.

Analysis against the three dimensions of participation:

- **Local authorities’ will:** The extent and intensity of personal involvement of the municipal mayor, heads of certain departments as well as volunteers in this segment of Spatial Plan development showed that a commitment to the new methodology and to the partnership between the municipality and its citizens was genuine. Of course, the urgency to spatially define municipality Doboju played its role too.
- **Administrative capacities to engage citizens:** Available administrative capacities were strengthened by expert services of the NGO from Tuzla.
- **Citizen motivation and capacities to participate:** The important value of the process is that all actors of society were included: local administration, Local Community representatives, NGOs, citizens, legal bodies, entrepreneurs, media, experts, and so on. They all had their roles in the spatial plan-making process and contributed to community development.
- **Citizens’ capacities to participate** were raised through a systematic and long-term information campaign.
- **An intensive, targeted and well-conceived public campaign** accompanied the whole process of spatial planning. The detailed plan for the campaign was made

with all planned activities, timeframe, persons in charge, reporting and evaluation techniques. Diverse and numerous communication channels were open for citizen comments and citizens used them. The municipality regularly provided the *feedback* and updates about the process to all stakeholders, mainly through municipal bulletin and leaflets which are distributed to citizens in public places for free, media, website, etc.

- **Variety and level of institutionalization of participatory spaces employed:** The municipality used the following participatory mechanisms: Spatial Plan council (multi-stakeholder body for spatial planning), information campaign, workshops, round tables, public discussions, public hearings, Local Communities (area-based mechanisms). The majority of these mechanisms have been regulated by municipal decisions (e.g., the Decision on Public Hearing Procedure) and municipal policies (e.g., communication strategy). The existence of the pilot case and the best practice of Tuzla was a guarantee that efforts invested in citizen participation would be effective.

3.4 Effective Decisions: For Citizens—With Citizens

The case studies allow for identification and analysis of factors which are indivisible elements of the entire participation process and therefore significantly affect the design of participatory spaces. A brief overview of the identified factors is presented in Table 1.2

The political will of local authorities to engage citizens in decision making is one of the basic pre-requisites for citizen engagement. The authorities' commitment to democratic values is very important and can be a decisive factor for successful participation. For example, the committed and proactive leadership of Petrovo supported innovative approaches to participation even without strict legal provisions. In municipalities where political will is low participation happens sporadically, usually to respect the minimum of legal conditions (mayor of Petrovo, personal interview, April 7, 2009).

Administrative capacities for citizen participation are often insufficient to support complex and long-term processes. Lack of administrative capacities can take different forms, such as: administrative procedures are not developed (*rules* are not in place), tasks related to participation are not specified in employees' job descriptions (e.g., the task to monitor participatory events and keep track of citizens' inputs), lack of specific knowledge and skills (local administrative capacities for strategic communication are especially critical, e.g., ensuring consistent communication and regular feedback). A possible strategy to compensate for the lack of expertise, human resources and/or technical capacities is to establish contractual or partnership relations with experts and NGOs (this strategy was successfully applied in all three cases). Consequently, the design of participatory spaces is to a great extent shaped by the experience and methodologies that experts and NGOs bring to the process.

Table 1.2
Influences on the Design Process

Factors	Case 1	Case 2	Case 3
Legal framework	No specific legal provisions about <i>participation</i> of citizens in local waste management planning.	No legal provisions about <i>participation</i> of citizens in LED strategy-making.	Fostering engagement of citizens at early stages. Defines optional establishment of a multi-stakeholder body
Political will	High (even after the change of Mayor in local elections).	High	High
Administrative capacities	One NGO representative was a member of the municipal multi-stakeholder and multi-disciplinary team and offered technical support.	Administrative capacities for preparations and managing PG meetings were supported by external consultant.	Municipal administration was supported by an expert NGO.
Citizen motivation	High mobilization of actors.	High mobilization of actors.	High mobilization of actors.
Citizen capacities	Information campaign upgraded citizens' capacities to provide meaningful inputs.	Timely information and education were ensured for PG members and for citizens before public hearings (through public campaign).	Education and technical support for citizens' initiatives were provided by municipality and NGO (through public campaign).
Communication and Responsiveness (feedback mechanism)	Intensive communication (information and education provided mainly through campaign). Feedback is regularly provided to participants.	Intensive communication, mainly between municipality and PG. Feedback is regularly provided to participants.	Intensive and planned (strategic) communication and education provided mainly through two rounds of campaign. Feedback is regularly provided to participants.
Participatory spaces	Variety of participation mechanisms employed. Primarily traditional area-based mechanisms.	Variety of participation mechanisms employed. A combination of traditional area-based and modern mechanisms.	Variety of participation mechanisms employed. A combination of traditional area-based and modern mechanisms.

Citizen motivation can be easily raised when the issue in question is a “felt need” on the side of citizens, when they are affected by the problem (e.g., waste issue and other communal issues), or they feel informed and knowledgeable about the problem

(e.g., citizens received information about LED and spatial planning before they were asked to provide inputs). Finally, citizens are more prone to join participatory events if they are informed about the *space* and if its design is appropriate (events are organized in times and places which suit citizens). This is based on the experience of Dobož Jug.

Citizens' capacities for participation primarily relate to the knowledge about the problem and about design of available spaces for participation. Hence, citizens' capacities can be raised if authorities keep them informed, e.g., through long-term campaign and education, as in all three cases.

Communication and responsiveness (feedback mechanism): In the case studies, the political leadership proves to be responsive. They successfully mobilized all sectors of society through intensive communication. It can be concluded that for well-informed participation to occur, empowerment and information must be equitably distributed. This conclusion is especially important when target groups are rural people, women or other vulnerable groups. Hence, good communication seems to be the most needed characteristic of well-designed participatory spaces.

Legal framework: The design of participatory spaces can be affected by legal stipulations. For example, the FBiH Law on Spatial Planning defines establishment of the Plan Council. In addition, there are valid legal provisions for engagement of citizens in early stages of the spatial planning. Such legal framework is identified as a fostering factor in Dobož Jug. However, in the majority of cases, the valid legal framework in BiH is neither specific nor restrictive about creation of participatory spaces. It is up to the local authorities to design and institutionalize the spaces that best suit their local situations.

Based on these considerations, there are several important aspects which should be considered for the optimal design of *participatory spaces*:

- Spaces should be politically feasible in a specific locality. The most influential factors here are the legal framework (encouraging or restrictive) and the existence of best practices in the country or in similar environments. Insight in best practices enables people to see what is possible in similar contexts.
- Spaces should be socially acceptable: familiar or well-explained to citizens, taking time and place at their convenience, using friendly communication channels, and so on. A broad range of spaces should be designed and available to citizens in order to enhance broad representativeness and reach the passive majority of citizens.
- Procedures and tools have to be well-defined and manageable so that administration can organize the work. Although informal spaces can work sufficiently well, the institutionalization (rules in place!) is the preferred option as a prerequisite for sustainability.

- Communication aspects (target groups, communication channels, content of public messages, etc.) have to be worked out and accompany the procedures. The two functions of communication should be taken into account: information to citizens about available participatory spaces, and education about the issue in question (this is especially important for more complex strategic issues, such as LED and spatial planning). Finally, regular feedback to all participants in the process should be defined as a part of communication activities.
- Finally, spaces can be appropriately categorized to achieve efficiency for the intended purpose. For example, the case of LED strategy-making in Petrovo shows that local partnerships are a good space for *participation* whereas Local Communities are more appropriate for *consultation*. Certain typology can be worked out as a function of social acceptability of particular spaces and complexity of issues discussed.

Summary

The case studies show the importance of the careful design of participatory spaces. When local authorities are motivated, they are ready to allocate significant financial means for participatory events and public campaigning. Citizens become mobilized when they are interested in the topic, when participatory events are organized in times and places that suit them, and when they are confident that municipal authorities will take their ideas into account.

The description and analysis of cases here revealed the major features of existing participatory processes. Some of these features are recognized as factors that affect design of participatory spaces. The analysis produced a lot of ideas for optimal design and institutionalization of participatory spaces at local level that will be complemented below with survey findings from the case municipalities.

4. AN EDUCATED GUESS FOR NEW SOLUTIONS

This Section provides an analysis of findings from the questionnaires and interviews, and also uses data collected in country-wide surveys and assessments (CCI 2008; Kurtic 2009).

The objective of this stage of the research is to assess the current situation with citizen participation in the case municipalities: Has the experience of participation been sustained in terms of authorities' and citizens' opinions and attitudes? How did past experience influence the evolution of participatory spaces?

Questionnaires examined citizens' incentives, capacities and most preferred (socially acceptable) participatory spaces. The interviews checked for authorities' incentives, administrative capacities and politically feasible participatory spaces. It is important to know what main actors think about participatory endeavors in order to develop or improve the *rules* for existing spaces. Their voices provide vibrant arguments for policy analysis.

4.1 Are Local Authorities Willing to Engage Citizens?

In the case municipalities, the political will clearly exists and is best illustrated by the statement of the mayor of Doboj Jug:

In all cases of decision-making it is good to share responsibility with citizens. For example, the communal infrastructure should be built according to the expressed needs of citizens, not according to administrative priorities. ... Today, the situation is 'good,' in future it can be 'very good' and 'excellent.' Progress will be felt as soon as the authorities get open to citizens and truly engage them in decision-making. Only by giving regular feedback to citizens, i.e., through two-way communication, can we build mutual confidence and sustainable participation.

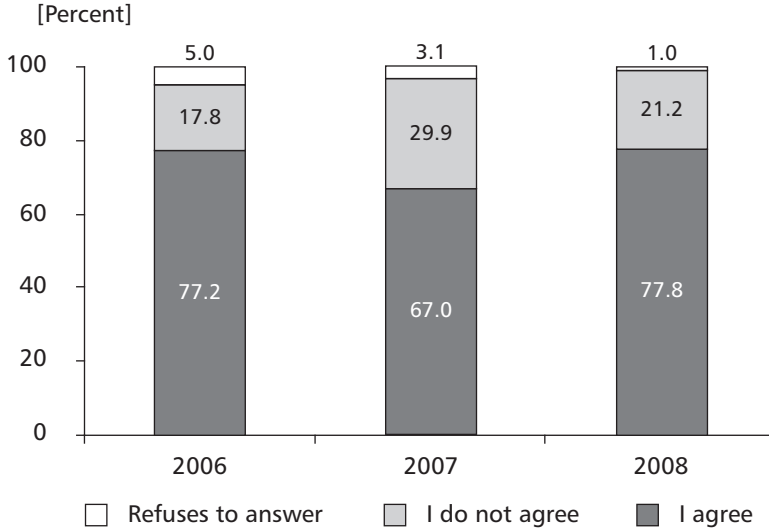
(Dzavid Alicic, mayor of Doboj Jug municipality,
personal interview, April 14, 2009)

Regarding mayors' incentives to engage citizens, it can be concluded that those who possess strong commitment to sustainable development²⁴ are open to cooperate with citizens and share responsibility for the decisions made. The officials who tend to avoid engaging citizens or neglect public comments in political decision-making actually lack understanding about this aspect of democracy (Ruzica Jukic-Ezgeta, personal interview, April 6, 2009).

In 2008, it was established that public officials in BiH have rather positive attitude about citizen participation. Figure 1.1 shows that almost 80 percent of officials agree that citizens should be engaged in decision-making, while about 20 percent disagree (CCI 2008).

As far as municipal administrative capacities are concerned, the mayor of Petrovo recognized the problem of poor management of human resources and insufficient capacities for communication as the main obstacles for efficient implementation of institutionalized participatory mechanisms (see Section 2.3.1.). Thanks to a strong commitment, the mayors of the case municipalities overcame the scarce capacities for participation through contracting or concluding partnership relations with NGOs.

Figure 1.1
Public Officials' Attitudes about Citizen Participation



Source: CCI.

4.2 Are Citizens Motivated to Take Part in Local Affairs?

According to the interviewees in this research, the citizen response is generally weak, in terms of the low number of participants in public hearings and in terms of low-quality public discussions. The questionnaire in the case municipalities checked the motives for participation and reasons for non-participation of citizens. In Table 1.3 the answers are listed in the order of priority stated by citizens in all questionnaires.

Table 1.3
Citizens' Motives for Participation and Non-participation

	Case 1	Case 2	Case 3	Situation in BiH in 2008 (CCI)
Motives for participation	Interested in the topic and want more information (31 percent) It would help me solve a personal problem (10 percent)	Would like to take part in the decision-making (35 percent) Interested in the topic and want more information (33 percent)	Would like to take part in the decision-making (30 percent) Interested in the topic and want more information (20 percent)	Because Local Community boards are not functioning (90 percent) Would like to take part in decision-making (70.4 percent) It would help me solve a personal problem (55.1 percent) Interested in the topic and want more information (51.9 percent)
Reasons for non-participation	Insufficient information on how to participate (36 percent) Convinced that suggestions will be rejected (8 percent)	Convinced that suggestions will be rejected (24 percent) Lack of information about participatory channels (19 percent) Because Local Community boards are not functioning (10 percent)	Lack of information about participatory channels (24 percent) Because Local Community boards are not functioning (16 percent) Convinced that suggestions will be rejected (12 percent)	Because Local Community boards are not functioning (95 percent) Low number of interested citizens (91.8 percent) Lack of communication with municipal bodies and councilors (89.9 percent) Lack of information about participatory channels (69.2 percent) Convinced that suggestions will be rejected (69.2 percent)

The comparison with the BiH survey shows that the findings from cases greatly overlap with findings from the country. In order to mobilize citizens to participate in local decision making in BiH, the following aspects should be considered:

- Citizens who “[w]ould like to take part in the decision-making” are aware of their civic role in a democratic society. Hence, the democratic awareness-raising programs would certainly increase the number of citizens motivated to participate.
- Based on the answer “Interested in the topic and want more information,” it seems that the more direct influence a topic or problem in question has on citizens’ lives, the easier it is to motivate them to participate. The majority of citizens do not appear to be capable of thinking beyond their personal interests and attitudes in order to deal with complex strategic issues. Consequently, successful participation only develops when the discussed topic relates to their everyday life.
- Prevailing responses regarding reasons for non-participation are related to “Insufficient information on how to participate / Lack of information about participatory channels.” This means that better-informed citizens are more motivated to get engaged in local policy making. Thus, the existence of appropriate and reliable communication channels is an important aspect of participation.

In addition, the questionnaire results show that 56 percent of citizens feel insufficiently informed and incapable to participate; only 26 percent feel capable for participation. Thus, the goal of communication is to reach the uninformed majority.

It is interesting that “conviction that suggestions will be rejected” is one of the main reasons for low citizen participation. If citizens lack confidence in local authorities’ work, their response is lower than expected, even when topics discussed are of extreme importance. Through regular communication and regular feedback to citizens, organizers of participatory processes create the atmosphere of trust that is a rational basis for engagement (Kurtic 2009).

When asked to propose ideas for upgrading participation, citizens stressed:

“Municipal authorities should organize seminars on the topic ‘Citizens’ right to participate’ in order to educate citizens, especially the young.”

“Communication between the municipality and citizens should improve, through media and by strengthening municipal PR office.”

“Municipal authorities should raise the motivation of citizens to participate, for example, by showing that they accept citizens’ suggestions.”

The issue of communication is also seen as a way to upgrade citizens’ capacities for participation. It was specifically addressed in the questionnaire by a question about most preferred communication channels.

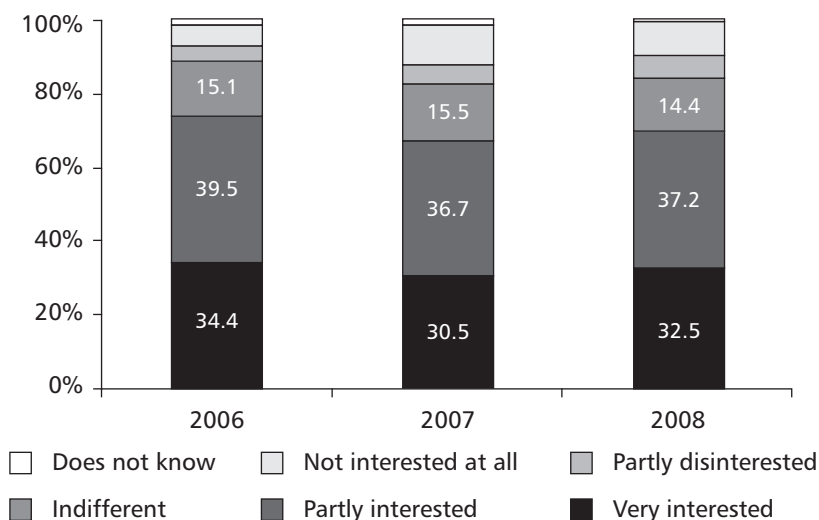
Table 1.4
Preferred Modes of Communication

	Case 1	Case 2	Case 3	Situation in BiH in 2008 (CCI)
Most preferred communication channels	Friends/neighbors/relations (26 percent)	Municipal bulletin (32 percent)	Friends and neighbors (21 percent)	Local media (82.2 percent)
	Local (24 percent)	Municipal PR officer (24 percent)	Municipal bulletin (18 percent)	Friends and neighbors (79.1 percent)
	Community (24 percent)	Local media (18 percent)	Municipal PR officer (16 percent)	Local Community (29 percent)
	Municipal/eco bulletin (22 percent)	Friends and neighbors (16 percent)	Local media (14 percent)	Municipal PR officer (<i>importance of PR officer is increasing, from 10.8 percent in 2006 to 26.9 percent in 2008</i>)

An interesting finding is that quite a lot of citizens rely on information obtained from friends and neighbors. Further, it is interesting that municipal bulletin and PR officer are gaining in importance; such channels are of interest because the municipalities manage them. Both municipalities have appointed a PR officer and have made efforts to upgrade communication. Dobož Jug designed a communication strategy that has been officially passed by the Municipal Council. Such experiences can serve as best practices for other municipalities. Local media is also an important channel; since all municipalities do not have locally based media this channel might be unaffordable.

Finally, the CCI survey for 2008 shows that citizen readiness to participate is increasing. About 70 percent of the interviewed citizens of BiH stated that they are interested in work of local authorities (Figure 1.2).

Figure 1.2
Citizens' Interest in Municipal Works



Source: CCI.

To conclude, the apparently existing initial interest of BiH citizens to participate in local decision-making can significantly increase by localizing the topics and by improving the quality and quantity of information that is released before and after participatory events.

4.3 Where Do Authorities and Citizens Meet?

Within the valid legislation, local authorities can organize participatory processes which are sufficiently appealing and accessible to different citizen groups (this is proved in case studies). Table 1.5 shows the most socially acceptable participatory spaces in the three case municipalities and in BiH.

Table 1.5
Preferred Participatory Spaces

	Case 1	Case 2	Case 3	Situation in BiH in 2008 (CCI)
Most preferred participatory spaces	Local Community (57 percent)	Direct contacts with municipality and mayor (27 percent)	Direct contacts with municipality and mayor (17 percent)	Local Community (47.1 percent)
	Direct contacts with municipality and mayor (23 percent)	Local Community (19 percent)	Public hearings (15 percent)	Public hearing (39.8 percent)
	Direct contacts with councilors (21 percent)	Direct contacts with councilors (18 percent)	Local Community (13 percent)	Public meetings (36.7 percent)
			Sending letter to municipality (13 percent)	Referendum (35.2 percent)
		Direct contacts with councilors (11 percent)	Civic initiative (34.3 percent)	

The Local Community is a rather popular participatory space. This finding reflects the traditional perceptions about this participatory mechanism. Among other spaces, citizens prefer possibilities for direct contact with municipal staff, the mayor and councilors. Finally, public hearing and written address to the municipality are rated among the most preferred spaces. It can be concluded that familiarity with the mentioned spaces for participation was a deciding factor for citizens to opt for them.²⁵

In order to take into account the emerging participatory spaces, such as partnerships and multi-stakeholder structures for local development, the questionnaires contained an explicit question related to the citizens' acceptance of traditional and modern participatory spaces. Citizens were surprisingly positive and supportive about modern spaces (see

Section 2.1). Some of them think that Local Communities are losing credibility due to amateurish work of their board members. The questionnaire data say that about 50 percent of citizens in Petrovo and Doboj Jug support introduction of modern mechanisms for participation while almost 10 percent of citizens give preference to the combination of modern and traditional mechanisms.

“All kinds of modern mechanisms which facilitate two-way communication, i.e., open possibilities for citizens to express opinions and put forward suggestions, are better than the traditional passive, one-way communication.”

(Anonymous citizen answer from the questionnaire in Petrovo)

“I support new ways of decision-making, but the old, proven ways should be maintained and upgraded with more democratic procedures.”

(Anonymous citizen answer from the questionnaire in Doboj Jug)

As a final point, citizens agree upon the idea that new forms of governance (such as partnerships) in step with the traditional area-based ones (primarily Local Communities), can help BiH municipalities to meet the challenges and maximize the opportunities of EU accession.

Summary

This section provides up-to-date information about attitudes, opinions, incentives, and preferred participatory spaces of the authorities and citizens. Findings and conclusions support the lessons learned from case studies in the previous section.

A focus on design of participatory spaces is needed since municipalities generally do not have established rules and procedures for effective management of participatory processes. One of the main reasons is the fact that valid legal provisions give preferences to indirect participation while direct citizen participation is not fostered. It is important to bear in mind that successful participation can be achieved if rules are written down, known to all sides and consistently respected.

With these considerations in mind, the analysis of policy options is next.

5. ON THE ROAD TO DEMOCRACY: THE CHALLENGE OF CHANGING MINDSETS

5.1 Between Tradition, Transition, and EU Integration

The data collected and analyzed in this research show that the basic legal framework for participation is in place in Bosnia and Herzegovina. However, very few municipalities update their statutes and introduce system solutions to regulate specific participatory mechanisms. But communication and responsiveness are often neglected by local authorities. Therefore, citizen response may be rather weak and their inputs are not helpful. The time and finances invested in participatory events get lost and overall efficiencies of participation are very low.

The research shows that the political will to engage citizens in decision-making at local level is increasing as well as citizens' interest in local affairs. The questionnaires in this study show that both citizens and local authorities are ready for novelties which transition and EU integration are bringing. It is very important for each municipality to institutionalize those participatory mechanisms that work well in their locality. When the rules of the game are known to both authorities and citizens, it is possible to build confidence and trust among stakeholders. The issue of how to do that is to be addressed by new policy solutions in BiH.

On the basis of the overall analysis of the three dimensions of citizen participation, the new policy solutions should result in higher efficiencies of participatory processes, i.e., better utilization of resources invested in participation mechanisms. This can be assessed by the following criteria and indicators for choice of a policy option:

- Institutionalization of participatory spaces: Number of participatory spaces that are institutionalized in municipalities (rules in place) through a statute or municipal decisions.
- Communication between municipal authorities and citizens: Regular communication channels are established between local authorities and citizens (so that citizens know where to look for information). Feedback is regularly provided to citizens about the process and destiny of their inputs, in order to build confidence and trust.
- Awareness of the municipal leadership and administrative employees about democratization and citizen participation: Number of municipal officials who support citizen engagement in decision-making.
- Timeframe needed for introduction of a new policy option: Visible results achieved in mid-term period (three to four years).
- Capacities of entity and cantonal ministries needed for endorsement of new solutions: Entity and cantonal ministries are capable of managing the normative preparations that are required for introduction of the new policy.

5.2 Option A: Status Quo

Valid laws are not consistently enforced mainly because municipalities do not have guidance for practical application of available participatory mechanisms. Municipalities institutionalize a limited number of participatory mechanisms, often not all mechanisms which they use in practice (i.e., informal participatory spaces). Citizens' motivation for participation is rather low since they are not informed about how final decisions are made and do not have confidence that local authorities take their ideas into account. Awareness-building for participation is organized primarily by foreign donors while strong domestic programs for awareness-building do not exist. This does not produce efficiencies in the participatory process and does not lead to sustainability.

In terms of effects, participation processes will continue to be inefficient since they are not properly managed at local level. Municipalities will not receive systematic guidance for definition of institutional spaces for participation. Since the rules for participation are not clear, citizens' motivation will continue to decrease. Due to the lack of system solutions, good results will be achieved only in localities where political will to engage citizens is extremely strong (the three case studies showed successful experiences achieved thanks to the individual commitment and leadership capacity of a relatively small number of mayors in BiH). Communication between local authorities and citizens will not contribute to trust building, especially if feedback is not regularly provided to citizens (as the questionnaire results indicated). The political will and administrative support for participatory processes will be limited or will decrease unless awareness of the leaders and officers in charge is raised.

5.3 Option B: Mainstream Democracy

Ensure stimulating environment for citizen participation by detailed redrafting and harmonization of entity and cantonal laws in BiH, especially those that affect local level, in order to mainstream citizen participation in accordance with international standards and main conclusions made in this research (see Sections 3 and 4). Although the valid legislation is not explicitly restricting direct citizen participation, it does not provide for a stimulating environment either. For example, modern forms of participation (which have been put in practice through modern strategic planning approaches or otherwise) have not been defined by any legal document. This policy option is in line with Recommendation Rec (2001) 19 of the Committee of Ministers (see Annex 1).

In terms of effects, with a stimulating legal framework and detailed guidance for the enforcement of laws, efficiencies of participation should rise. Municipalities will use and institutionalize more participatory spaces, especially modern ones, and engage citizens in the early stages of the process. An example of a stimulating legal solution is the FBiH

Unique Methodology for Spatial Planning and the cantonal Law on Spatial Planning that provided a solid basis for the participatory case of Dobož Jug. The communication aspects must be reflected in legal solutions. Thus, motivation of citizens to participate will raise and trust-building will be fostered (case of Dobož Jug). Awareness-building of local leaders and administrative employees is a necessary component for enforcement of new laws. In terms of time, this option is a time-consuming and long-term solution. In addition, it requires engagement of considerable administrative capacities.

5.4 Option C: Something Old, Something New, Something Practical!

Delivery of practical guidance for municipalities by the relevant entity and cantonal ministries would ensure enforcement of the participatory mechanisms in accordance with valid legislation. It is important to provide municipalities with information on how to define participatory spaces, i.e. institutionalize participatory mechanisms that are most appropriate for certain locality. This policy option is contained in the Recommendation Rec (2001) 19 of the Committee of Ministers (see Annex 1).

A comprehensive set of guidelines would contain the following elements:

- Definitions of the basic concepts related to citizen participation
- Guidance about institutionalization of a range of typical participatory spaces at local level
- Typology of participatory spaces²⁶
- Criteria for selection of the issues of public interest where participatory processes (alternatively, consultations) are obligatory
- Guidance about human resources management²⁷
- Guidance about communication procedures which should accompany the process²⁸
- A compilation of best practices, i.e., description of successful experiences, from the country or region where legal framework and social conditions are comparable, so that interested local governments can learn

In terms of effects, guidance should be created and endorsed to municipalities by the relevant entity or cantonal ministries. This option would facilitate thorough enforcement of valid laws and would increase efficiency of participatory processes. This option should improve municipal capacities for communication and raise their awareness about benefits of participation. This solution can be achieved mid-term and requires less intensive engagement of administrative capacities.

5.5 Final Considerations

The outcome matrix for the proposed policy options is given in Table 1.6. Based on these considerations, the most preferred policy option is Option C. It should be implemented as an urgent measure to facilitate efficient implementation of the valid laws. The institutional strength has to be ensured by making adequate changes in the entity laws on local self-governance,²⁹ by having a strong support of the relevant ministries and associations of local authorities, and by parliamentary acceptance of the guidance. If this kind of institutional strength is not ensured, this policy option will not produce the desirable effects.

Simultaneously, the grounds should be prepared to remodel the legal framework, i.e. introduce Option B in the long run. Although the interviewed representatives from the ministries keenly support this option, they admit that strong efforts to remodel the complex legal framework in BiH would be quite difficult and impractical. Option B is especially complicated in the FBiH due to ambiguous competences of the entity and cantonal level.

The problem of *how* to implement *what* the valid legal provisions stipulate is rather common for many countries, even those with more developed democracies and more advanced legal systems. Hence, the idea of developing practical tools and guidance for institutionalization of participatory spaces is universally pragmatic. Its effects are proportional to the institutional strength of the endorsing body and administrative capacities for implementation.

Table 1.6
Proposed Citizen Participation Options

	Option A	Option B	Option C
Attributes	<p>Status Quo: Municipalities do not have guidance for practical application of participatory mechanisms. Efficiencies of participatory processes are low and results are not sustainable.</p>	<p>Ensure stimulating environment for citizen participation by detailed redrafting and harmonization of entity and cantonal laws in BiH in order to mainstream citizen participation in accordance with international standards.</p>	<p>Delivery of practical guidance for municipalities by the relevant entity and cantonal ministries would ensure enforcement of the participatory mechanisms in accordance with valid legislation.</p>
Evaluation Criteria:			
Institutionalization of participatory spaces	Will be done sporadically, in limited number of municipalities.	Municipalities will institutionalize participatory spaces in accordance with new legal framework	This option would facilitate regular institutionalization of participatory processes.
Communication between municipal authorities and citizens	Non-systematic communication will not contribute to trust building.	The communication aspects will be reflected in the legal solutions.	This option includes guidelines about communication—should improve municipal capacities for communication.
Awareness of municipal officials about citizen participation	Will decrease or negligibly rise.	The remodeled legal framework will create obligation of local authorities to engage citizens and will influence to a certain extent their attitude about participation.	Awareness about benefits of participation will be raised through a certain extent through promotion
Timeframe	—	Long-term option	Short- to mid-term option
Capacities of entity and cantonal ministries for endorsement of new solutions	—	Considerable capacities needed for endorsement.	Moderate demand for administrative capacities.

6. CONCLUSIONS AND RECOMMENDATIONS

This research contributes to the democratic changes in BiH by showing that regularity and sustainability of participation is more likely achieved when the *space* between political will and citizen engagement is filled with a set of clear *rules* for participation (institutionalization of participatory mechanisms). The appropriate design of participatory spaces should integrate elements that contribute to building confidence between municipal authorities and citizens and encourage participation.

Here, proposed policy solutions address the problem of insufficient normative guidance for local authorities on *how* to exercise participation. It is anticipated that the launch of clear guidance by relevant ministries, as an urgent measure, would foster citizen participation and institutionalization of appropriate spaces at local level in the mid-term.

6.1 Recommendations for Entity and Cantonal Governments

Developing a strategic approach to citizen participation with a view to improving its efficiencies is a demanding task. It is difficult to imagine that local authorities are capable of doing that alone. The political support, professional guidance, fostering intermunicipal exchanges and even offering incentives for achievement of democratic values are certainly needed from the higher levels of government.

The higher levels of government in BiH generally refer to the state, entity and cantonal governments. However, the local governance portfolio falls under entity responsibility in the RS and under shared entity and cantonal government responsibility in the FBiH. Therefore, these recommendations are primarily targeting entity and cantonal governments.³⁰

The most urgent measures that the entity and cantonal³¹ authorities should undertake are the following:

- **Prepare guidance for institutionalization of participatory spaces** at local level (the necessary elements of the guidance are mentioned in the description of policy option C, Section 5.4). The guidance should be prepared by the ministries in charge of local self-governance at entity and cantonal levels.
- **Appropriate changes in the entity Laws on Local Self-governance** should be made in order to impose a strong obligation on municipal authorities to organize participatory processes in line with *guidance* (see note 29).
- **The capacity building of local authorities and administrative staff** for better management of participatory processes as well as general promotion of citizen participation should be addressed by specific governmental programs. For example, topics related to citizen participation should be incorporated in

capacity-building curricula of domestic training and academic institutions and programs supported by donors (such as the Municipal Training System of UNDP). The insufficient administrative capacities are an obstacle for efficient implementation of laws and municipal regulations.

6.2 Recommendations for Local Governments

At the local level, municipalities can take on the following strategies on their own to increase the efficiency of participatory processes:

- **Select the participatory spaces that are the most appropriate for a specific locality, institutionalize them and promote them within the community.** The optimal space should be decided on the basis of *citizens' preferences* and the *complexity of the issue discussed*.

Citizens' preferences (social acceptability) can be checked by a questionnaire or simply by looking for places where people regularly meet. It is important to get close to people! An ideal institutional space for participation is close to citizens and takes place in the most convenient time for them. The best is to intrude in the established communication situations and forms where public issues are traditionally discussed (public squares, markets, and so on) (Kurtic 2009).

In addition, it is important to *categorize the issues by their complexity* and choose the institutional spaces accordingly. The cases studied for the purpose of this research show that Local Communities, as area-based structures, should be used to engage citizens in decision making about problems which have direct influence on their lives and are easy to grasp, such as spatial planning, local environmental problems, communal issues (roads, waste collection, water supply, heating system, landfill construction, building of specific infrastructure, and so on). On the other side, multi-stakeholder bodies and partnerships are appropriate for professional topics and policy design in the areas of local economy, environmental protection, social inclusion, and so on. In practice, partnerships have been limited to a specific theme, task, or funding source but they can be considered in the context of broader local development needs.

It is up to the local authorities to evaluate and decide which space works best for different problem categories. Finally, it is important to promote and enforce diverse possibilities for participation in order to ensure voices from different groups.

- Municipalities should **improve external communication in order to inform and educate citizens**. Municipal officer(s) in charge of organizing participatory

events (or a municipal PR officer) should be obliged to provide appropriate, timely and easy-to-access information about the topics discussed and available options for participation in decision-making.

The fact that Doboj Jug has a communication strategy and a PR officer certainly strengthened the campaigning efforts during spatial planning. Some sort of strategy or guide for communication should be developed by municipalities. This would help municipalities to think strategically about their audiences and the most appropriate communication channels to reach them. For example, the questionnaire for Case 1 shows that the most effective communication channel for communal issues is the Local Community as a traditional area-based structure. Hence, the major campaign should address the Local Community councils while using a variety of other available communication means.

Authorities should use the public campaign as an obligatory part of the complex and long-term decision-making and policy-making processes. Then, it is justified to make a plan for a public campaign that specifies communication techniques, target groups and a time schedule of public events. Citizens must be informed about goals, content, and possibilities for participation in policymaking. By consistent application of rules for organization of public campaigns, the number of participants can be significantly increased. The information campaign and intensive education organized in all three cases, especially in Doboj Jug, were the crucial factors for raising citizens' motivation.

Thus, specific capacity- or awareness- building of citizens should begin before they are consulted about more abstract or more professional topics. In addition, the authorities should make efforts to present the topics through very concrete local experiences (to localize the topics by very skilled facilitators and politicians). Otherwise, the consultations will not yield meaningful inputs.

Since municipal capacities for communication are usually insufficient to ensure intensive campaigning, the contractual or partnership relations with experts and NGOs (this strategy was successfully applied in all three cases) should be concluded in order to overcome deficiencies.

- An important part of external communication is provision of **feedback to the citizens about the “destiny” of their inputs**. Only then, citizens feel that their participation is purposeful and acknowledged, and they are more motivated to take part in local decision-making. The questionnaire in all case municipalities showed the conviction that *“suggestions will be rejected”* as one of the main reasons for low citizen participation.

Ideally, feedback about the participatory process should be delivered to the participants two times. The first time, summary information about participatory events (e.g. the type and number of ideas discussed, etc.) should be delivered immediately after participatory events. The second time, the decisions incorporated in the final policy document should be announced at the end of the process. This report should contain explanations about the level of reflection of public discussions in the final document. The accountability of authorities will be higher if feedback is given through personalized communication channels (e.g. addressed letters). This produces the emotional appeal in comparison to the channels for massive communication.

(Kurtic 2009)

- Finally, municipal authorities should proactively **look for best practices** in the country in order to find out what kind of solutions can be adapted for their locality and what kind of obstacles they may come across. In Doboju, the exposure of municipal leaders to the best practices from Tuzla raised their assurance that citizen participation is effective and strengthened their commitment to engage citizens in their affairs.

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- Local communities' statutes
- Municipal statutes of Petrovo and Doboju Jug
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ANNEX

Recommendation Rec (2001) 19 of the Committee of Ministers

The Recommendation Rec (2001) 19 of the Committee of Ministers to member states on the participation of citizens in local public life was adopted by the Committee of Ministers on December 6, 2001 at the 776th meeting of the Ministers' Deputies.³² It recommends that the governments of member states:

- Frame a policy, involving local authorities, designed to promote citizens' participation in local public life;
- Adopt the measures in particular with a view to improving the legal framework for participation and ensuring that national legislation and regulations enable local and regional authorities to employ a wide range of participation instruments;
- Invite local and regional authorities to subscribe to the principles contained in this recommendation and to undertake the effective implementation of the policy of promoting citizen participation in local public life;
- To improve local regulations and practical arrangements concerning citizens' participation in local public life, and to take any other measures within their power to promote citizens' participation.

NOTES

- ¹ Source: CCI.
- ² CCI report on “Citizens Participation in BiH—Real Obstacles and Their Overcoming,” May 2005 (<http://www.ccibh.org/data/finizvistanjeucesca.pdf>) and *Reports on the State of Citizen participation in BiH* from 2006, 2007 and 2008.
- ³ Traditional spaces include those defined by laws and recognized by citizens, primarily local communities as area-based structures as well as the process of public hearings, referenda, and citizen initiatives. Among modern participatory spaces, specific attention is given to local partnerships, i.e., multi-stakeholder structures, which work in practice but have not been legally defined. The partnerships are usually established by municipal authorities when methodologies for specific policy-making processes suggest or impose an obligation to do so at local level. For example, many foreign donor organizations in BiH support municipalities in making local economic development strategies; they stipulate the use of modern methodologies and participatory approaches, e.g., through establishment of multi-stakeholder structures for the process.
- ⁴ Brcko District does not consist of smaller administrative units (municipalities) but it has higher level of jurisdictions than the authorities of other cities and municipalities in BiH.
- ⁵ UNDP, OSCE, USAID, SIDA, EKN, EU, SDC (especially through its Municipal Development Project—MDP), OSF, World Bank, etc.
- ⁶ The rural population in today’s Bosnia-Herzegovina is in a significantly worse situation in terms of quality and access to services in comparison with citizens living in urban areas.
- ⁷ More information about Municipal Development Project is available at: www.mdp.ba
- ⁸ Here, under “incentives” it is meant the non-material factors that are decisive for citizen motivation to participate in local decision-making.
- ⁹ Local communities are founded for one settlement (or a village), a part of one settlement or for several settlements.
- ¹⁰ According to UNDP “Strategic Planning at Municipal Level—Survey Analysis” from 2005, only 49 percent of municipalities in the RS and 78 percent in the FBiH have established Local Communities.
- ¹¹ Third-party state building is a relatively recent practice in international relations. It is undertaken in response to weak/failed states or as part of international assistance to war-torn societies.
- ¹² The right to direct citizen participation is stipulated in the following documents: European Convention on Human Rights, UN International Covenant on Civil and Political Rights, Universal Declaration on Human Rights, Convention on the Elimination of All Forms of Discrimination Against Women. The Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters has also been ratified by BiH authorities.

- The Recommendation Rec (2001) 19 of the Committee of Ministers to member states on the participation of citizens in local public life gives the most specific guidance imposed on BiH authorities (text of the Recommendation is given in Annex 1).
- 13 The project “Designing Local Self-Governance Strategy in BiH by Key Domestic Actors” was supported by Open Society Fund Bosnia-Herzegovina and Municipal Development Project/Swiss Agency for Development and Cooperation.
 - 14 The FBiH Constitution assigns the responsibility for local self-governance to the Cantons. Hence, this Law is in contradiction with the jurisdictions for local self-governance in this entity, which is detrimental for its enforcement.
 - 15 For example, in the past several years CCI has actively promoted a set of municipal decisions among BiH municipalities with the aim of upgrading citizen participation. Doboju Jug and Petrovo, the two case municipalities, adopted the decisions with support of MDP and CCI.
 - 16 In total, there are 141 municipalities in BiH (79 in FBiH; 62 in RS). *Source:* Agency for Statistics of BiH. Available online: www.bhas.ba.
 - 17 Local strategic planning is widespread in BiH municipalities. According to UNDP assessment from 2005, about 51 percent of municipalities have developed strategic plans in the last decade. About half of them were made with support of international organizations (UNDP, OSCE, USAID, SDC/MDP, etc.). These organizations work with different methodologies, all of which have participatory character.
 - 18 According to G. Rowe and L. J. Frewer (2005), the *effectiveness* of participatory processes is reflected in the *fairness* and *efficiency* of the mechanisms for intended purposes.
 - 19 Alford defines co-production as “the involvement of citizens, clients, consumers, volunteers and/or community organisations in *producing* public services as well as consuming or otherwise benefiting from them” (Needham 2007).
 - 20 The LED strategy-making consists of five stages: 1–Organizing the efforts; 2–Situation analysis and SWOT analysis; 3–Defining a vision, strategic and operational goals; 4–Identification and selection of projects; 5–Strategy implementation and regular reviewing.
 - 21 This model was piloted in spatial plan making in Tuzla Canton, BiH, upon the initiative of the Canadian Urbanism Institute from Toronto, financially supported by the Canadian Government.
 - 22 Zenica-Doboju Canton, Law on Spatial Planning, Article 29.
 - 23 Agricultural land is protected by law and it is very difficult to change its purpose.
 - 24 For example, the mayor’s dominant adherence to party politics is detrimental to community integration and, thus, to sustainable community development.
 - 25 The questionnaire offered a multiple choice of spaces, where Partnership Group was itemized in the questionnaire for Case 2 and Plan Council was on the list in Case 3. However, few citizens recognized these bodies as participatory spaces.
 - 26 For instance, based on the complexity of the issue of concern (the case studies showed that simple communal issues can be resolved with Local Communities whereas more complex and long-term issues require engagement of different segments of society, e.g. through local

partnerships). Eventually, guidance could propose criteria for selection of a limited number of spaces which are most appropriate (e.g. socially acceptable).

- ²⁷ For example, appointment of a coordinator for a particular process, adaptation of employees' job descriptions to ensure clear division of responsibilities and duties, etc.
- ²⁸ Especially, channels about delivery of information (e.g., webpage), obligation of the coordinator (or coordinator body) to release feedback (report about destiny of citizens' inputs) after participatory events and processes, definition of procedures for citizens' written inputs, etc.
- ²⁹ For example, the Law on Local Self-governance should impose obligation on the relevant ministries (entity or cantonal) or other bodies to prepare implementing regulations (e.g., guidance) with specified content.
- ³⁰ Brcko District has a special status; due to its high level of autonomy, practically all recommendations in Section 6 are valid for the District authorities.
- ³¹ In the FBiH, the entity may delegate this responsibility to the cantons.
- ³² Available at: <http://www.coe.int/t/cm>.

Connected Communities

*How Can Local Governments Initiate, Enable,
and Support Citizen Participation
in Public Decision-making?*

Igor Bajok and Vanja Škorić

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EXECUTIVE SUMMARY

Connected communities are places of dialogue and progress, where interaction is a process among citizens, between citizens and leadership, as well as with other communities. This paper is focused on examining the aspect of interaction between citizens and elected leadership, that is, local governments—the “participation membrane” of citizens’ engagement in developing policy options and decision-making process that is initiated, enabled and supported by local governments. It aims to provide local governments with an insight into increasing interest and capacity for proactive approaches towards participatory practices.

The study shows that three important criteria must be met simultaneously for sustainable participation:

- Interest and will of local governments
- Institutional and financial capacity, knowledge, skills and resourcefulness of local government
- Ability of local governments to motivate citizens

According to most research, local governments likely have the political will and interest to induce citizen participation but lack the capacity and resources to do so. In addition, there is no systematic mechanism to motivate citizens into continuous and meaningful participation. Therefore, this paper offers recommendations to overcome these obstacles, arguing for a long-term strategic approach where local governments can be motivated by their peers to become truly connected communities.

1. INTRODUCTION

*Engaging citizens in policy-making is a sound investment in the design and delivery of better public polices and a core element of good governance.*¹

Democracy, as a system of government, relies upon the consent and participation of citizens. Free and fair elections, representative assemblies, accountability of executives, and politically neutral public administration are key elements of representative democracy. However, some new forms of representation and types of public participation are emerging and traditional forms are being renewed to make more space for the idea of government “by the people.” Generally, there is a growing demand for transparency, accountability, and participation in determining of policies that affect citizens’ lives. Mobilization by citizens and civil society organizations has recently begun to target international policymaking, as well as national and local institutions.

Over the past decade there is noticeable improvement at all levels in Croatia in accepting democratic values, while going through the transition and European Union (EU) accession process. The main EU principles such as liberty, democracy, and respect for human rights, fundamental freedoms, and the rule of law, as well as fundamental social rights and values, are objectives for Croatia. This imposes greater expectations on both national and local authorities in the way they solve problems, develop policies, and interact with citizens. It also means that administrative and managerial capacity building and improving local and national governance are crucial and even more important than the issue of insufficient financial resources.

Croatia has, as a party to the European Charter on Local Self-governance, decentralized its institutional structure transferring significant competences from national government to local institutions.² However, these institutions of local democracy are still weak, which decreases the effectiveness, openness, and accountability of the system. According to the 2008 *Nations in Transit* Country Report, “Croatia continues its process of European Union (EU) accession as an EU candidate country, but progress reports from Brussels have been mixed. There are overall positive trends in establishing a more decentralized system, while at the ground level confusion remains in practice; thus, the rating for local democratic governance stays the same at 3.75.”

In addition, the consequences of war in the 1990s and huge movements of the population have greatly affected efforts at decentralization. As it has been argued in previous research, the excessive number of territorial units and, consequently, the inefficient, oversized administration at several levels of government, plus areas of special national concern, contribute to the slowness of the diminution of the dominating role of government bodies.⁴ This has been compounded by the rush of producing a high volume of legislation necessary for the EU accession, which further enhanced the dominance of government bodies, at both the local and the national level. Ott concludes that *a kind*

*of centralization is actually in process, contributing to further “governmentalization” of the country.*⁵ On the other hand, local communities are usually mobilized by crisis, but often there are no mechanisms or frameworks in place to utilize such energy and facilitate citizens’ participation. Sometimes the media take the role of voicing citizens’ concerns as a surrogate for institutional framework, *trying to talk openly about the problems and change the mentality of secrecy.*⁶

In the past decade there has been a continuous decline of public interest in local politics in Croatia. Public involvement through direct forms of participation is still limited and insufficient. Data from the last local elections in 2009 shows that there is no significant increase in voter turnout (46 percent is the average for the entire country, which is a six percent increase since 2005 local elections) despite the new election model of directly elected mayors.⁷ Over one-third of citizens in Croatia are not interested in the current affairs and 62 percent cannot identify a political party that represents their views, according to the 2008 Analytical Report of the Gallup Balkan Monitor. In addition, data from the Gallup Balkan Monitor (2008) show that 25 percent of Croatian citizens have no trust, and 32 percent of citizens have limited trust in election results, and over 2/3 do not trust political parties and the government.⁸ This is evident in the increasing number of independents standing at each election, as citizens feel themselves to be more distant from the political elite. At a micro-level, the abolition of neighborhood communities (which represented some form of citizens’ participation in local development) after the transition, and the introduction of the concept of territorial self-government with its limited possibilities, narrowed the framework for participation. This had an effect on decreasing motivation as well.⁹ This decline of public interest and trust on both the national and local level affects the ownership of policies and decisions made in local communities. Ott argues that “Croatia faces the problem of willingness more than a lack of possibilities. Its citizens are not organized well and they are still passive. Moreover, citizens are still not aware of the possibility to organize themselves and participate in the decision-making process at the local unit level.”¹⁰

1.1 How to Participate

Citizen participation, according to Petts (2001), *supports institutional legitimacy and the bottom-up approach to decision making.*¹¹ There are a number of conceptual schemes which have been offered to define participation. For example, the International Association for Public Participation (IAPP) has developed a bar of public participation impact that reflects the degree of participation which is required to obtain citizens’ trust, institutional legitimacy, and acceptance of decisions. The bar goes from the least involved mechanisms, namely informing citizens, to the highest level of participation.¹² The five levels identified by IAPP are:

1. Inform: to provide the public with balanced and objective information to assist them in understanding the problems, alternatives and/or solutions;
2. Consult: to obtain public feedback on analysis, alternatives and/or decisions;
3. Involve: To work directly with the public throughout the process to ensure that public issues and concerns are consistently understood and considered;
4. Collaborate: to partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution;

Empower: to place final decision-making in the hands of the public.

For the purpose of this paper, citizen participation means engagement of citizens in developing policy options and a decision-making process which is initiated, enabled and supported by local governments.

There are some examples of local governments in Croatia engaging citizens in some levels of participatory practices, as will be shown in this paper, mostly sponsored by foreign donors and projects. These practices often deteriorate after donors leave; however, there are a few examples of sustained participation and developing institutional mechanisms. This is, to some extent, supported by the national legal framework which facilitates openness and transparency, including provisions on openness of local government's work, access to information, a motivating environment for participation and cooperation with civil society organizations (hereinafter: CSOs) and different citizen's groups and sectors. However, implementation on the local level varies greatly.

In addition to all of the above, the capacity of many local governments is limited and political will usually questionable, although it tends to increase within a pre-election period. "There are no procedures based on which a local unit regularly and systematically communicates with the public." argues Ott, adding that "communication is more ad hoc and depends on the willingness from the both sides."¹³

The key question addressed within this policy paper is how local governments can initiate, enable and support citizens' participation in a sustainable and meaningful way?

This paper will focus on possibilities to increase local government's will, interest and capacity to initiate, enable and support citizens' participation. It will review the current state of possibilities for participation on the local level, focusing on national and local legal frameworks, capacity and resources of local government units to enable and support participation and motivate citizens, existing examples of participatory practices and the levels of their success. The aim is to identify and offer options for increasing the interest and capacity of local governments to initiate, enable and support citizens' participation, resulting in improving mechanisms for participation in a sustainable and meaningful manner. Recommendations will include specific actions for overcoming identified obstacles (legal, institutional, and practical).

Table 2.1
Features of Selected Case Study Local Units

Town / Municipality	Local Self-Government Unit	No. of Inhabitants	2009. Budget (In Kuna)	County/Geographic Location	Ruling Political Party	Specific Participation Mechanism	Place On Lotus Scale 14
Rijeka	Big town	144,043	874,048,200	Primorsko-goranska (Adriatic coast)	Social Democratic Party (SDP)	Charter of Cooperation	1
Kutina	Town	24,597	129,631,000	Sisačko-moslavačka (East)	Croatian Democratic Union (HDZ)	Developing public policy	12
Humna Sutli	Municipality	5,476	19,340,670	Krapinsko-zagorska (North-west)	Croatian Peasant Party (HSS)	Budgetary participation	35

1.2 Case Studies and Methodology

Three case studies provided the basis for this research. Criteria for selection were based on accessibility to data and stakeholders, existing previous experience of participation mechanism and good practice examples, different sizes and legal status, social and economical diversity of communities, geographical location and political parties in power. The three cases selected (see Table 2.1) were big town Rijeka, mid-size town Kutina and municipality Hum. In each case the aim was to explore questions directed towards local governments, CSOs and citizens.

Research was conducted via desk research—collection, comparison, and analysis of the legal and institutional framework at the national and local levels, qualitative analysis of Internet pages of case study units, semi-structured interviews with the representatives of local authorities and CSOs involved in participation issues (in total 11 interviewed), direct observation of participatory events (in total 3 observed) and focus group of citizens in Rijeka as the most developed participatory area. Desk research and analysis of Internet data served as a basis for preparation of interviews, focus group and selection of direct participation events.

Three main criteria were used to assess participation:

- Interest and will of local governments

Indicators included:

- examples of local governments proactively introducing participatory practices;
- local governments implementing some activities beyond the legally prescribed minimum or obligation;
- innovative approaches within the local government that could serve as best practice examples.

- Institutional and financial capacity, knowledge, skills and resourcefulness of local governments

Indicators included:

- concrete funds allocated within specific budget lines for participatory events or communication with citizens;
- specific departments and/or staff with job description to work on participation;
- education level of the staff for coordinating participatory events;
- other resources necessary for organizing participatory events (venues, the media);
- possibility of providing feedback and evaluation on participatory events.

- Ability of local governments to motivate citizens

Indicators included:

- publicity and visibility of participatory practices in the local community;
- accessibility of participatory events to citizens;
- citizens' turnout;
- visible results of participatory events;
- continuity of participatory events and activities.

These indicators for each of the criteria were included in the desk research and field interviews, focus groups and direct observation. The higher level of existence of these indicators reflected higher possibility for meaningful and sustainable participation.

Naturally, there are other criteria within civil society which can be used to determine the quality of participation; however, these are not the focus of this paper. Presented views and findings in this paper are based on available data regarding legal and institutional framework, interlocutor's views as well as prevailing practices in selected case study areas.

Paper Roadmap

The introduction is followed by an overview of current state of transparency and participation in Croatia with comparison of international standards, and legal and institutional framework on national and local level as well as the review of implementation of legal requirements (Section 2).

Case study findings of local resources are included in Section 3.

Three different policy options are analyzed in Section 4 and recommendations listed for different stakeholders in Section 5. Finally, conclusions are provided in Section 6, followed by the appendices.

Shaded boxes throughout the paper include different examples of participatory practices in researched local units.

2. FROM PASSIVE RECIPIENTS TO ACTIVE CITIZENS

2.1 Transition in Progress

There is a significant lack of democratic tradition, practice, culture and procedures in Croatia as part of the ex-socialist legacy. This legacy includes the mentality of citizens, where every aspect of one's life was decided and solved by the State, with the citizen reduced to a passive recipient. Decisions were made behind closed doors without the possibility of citizens' influencing them. Bad practice resulted in a lack of confidence in procedures and loss of interest. As it is aptly described by Ott, "thanks to the legacy of non-democratic regimes, paternalistic and highly centralized states, citizens might not be yet aware of their rights and possibilities. Various institutional weaknesses and psychological and cultural obstacles result in: (i) a poor supervisory and control environment for effective central government, (ii) inadequate citizen participation, and (iii) slow improvements of government accountability."¹⁵

The transition process to a free democratic society brought about a new concept of active citizenship. This however, required a complete shift in mentality—not only new legal and institutional frameworks, but different sets of resources and incentives. Promoting the participation of citizens has not been easy, as there is no established academic literature, accessing data is difficult, and promoters sometimes face a lack of understanding of fundamental concepts. Local government representatives still believe that elections are the only way citizens should participate in decision-making and express their political will. This discourse can be heard at the national level as well, which is not encouraging for local communities.

Only 16 percent out of a total of 556 cities, towns and municipalities in Croatia satisfy the criteria of transparency, openness and responsibility in their treatment of residents and other relevant groups, according to the findings of a survey conducted in March and April 2009 by GONG and The Cities' Association.¹⁶ Criteria for assessing transparency included the openness of local councils' sessions and their decisions, internal organization, cooperation with civil society organizations and implementation of the citizen's right to access information. The average mark for transparency of local units was 3.8 on a scale from 0 to 10 points. Only 65 towns and 27 municipalities earned marks higher than five. As many as 434 cities, towns or municipalities are deemed non-transparent or partly transparent, making up 84 percent of local units in Croatia. According to the survey, 23 municipalities and two towns on the bottom of the list do not even enable insight into their rule books and statutes. This affects the citizens as well, who feel disconnected from the governing processes in local communities. Ultimately, it diminishes public trust in government, decreasing the quality of democracy.

Within Europe, these issues are pertinent, and not limited to transitional democracies. There is a trend in shifting decision-making powers from national to regional and local levels in European countries, accompanied by the struggle to increase participation of citizens in local life through innovative projects and incentives. Some European standards and instruments shown in Table 2.2 have been encouraging national and local governments to facilitate participation for almost a decade.

In Croatia, there have been attempts to address these issues, mainly by adopting new and changing law(s) which apply to local self-government.¹⁷ However new laws did not generate a significant change in practice. LOTUS research¹⁸ did not show significant progress in implementing basic legal obligations during 2009, despite these new laws that have included some of the participatory mechanism (adopted or amended prior to 2009): Law on Local Self-government, Law on Access to Information, Law on Youth Councils, Law on Consumer Protection, Law on Environment Protection.

Foreign donors and consultants succeeded in developing some mechanisms for citizen participation but only partially, in those local government units included in various projects. These have included the USAID project of Local Government Reform—Model of Citizens Participation, which offered technical support to communities, training and manuals for participation, as shown in Example 1.

Some domestic CSOs attempted launching local public advocacy campaigns to strengthen the role of citizens in decision-making processes and were partially successful on a short-term basis. For example, GONG¹⁹ has conducted workshops in several communities regarding local level advocacy for civil society and territorial councils, with limited scope and influence. In addition, individual civil servants in some local government units have made an effort to change the practice of ignoring citizens and to create a fertile and sustainable environment for participation. These local examples vary from different communities—a few were successful and are still ongoing, others had limited success and were abandoned. At least some local units started to understand that communication with the public could help them in performing their job better.

Table 2.2
European Standards for Participation

Document	Main findings
<p>Council of Europe—Congress of Local and Regional Authorities of Europe</p> <p>Resolution 91 (2000) on responsible citizenship and participation in public life</p>	<ul style="list-style-type: none"> ■ The participation of citizens in local politics must be guaranteed at all political and administrative levels. ■ This includes: the right of citizens to be informed and heard on every major plan or project before decisions are taken; the creation of a system of co-operation; the greatest possible involvement in political life of all inhabitants.
<p>Council of Europe—Congress of Local and Regional Authorities of Europe</p> <p>Recommendation 113 (2002) on relations between the public, the local assembly and the executive in local democracy</p>	<ul style="list-style-type: none"> ■ It is essential to the proper functioning of local democracy that the link between local authorities, elected representatives and the public be strengthened. ■ The national legislation of the member states should make it generally compulsory for local authorities to inform the public in advance of their overall policies.
<p>Council of Europe—Congress of Local and Regional Authorities of Europe</p> <p>Resolution 165 (2003) on NGOs and local and regional democracy</p>	<p>Local and regional authorities should:</p> <ul style="list-style-type: none"> ■ organize, particularly through their specialist committees, regular meetings with the NGOs in their areas to review each other's activities; ■ consult NGOs in their areas on all matters of specific concern to them.
<p>Council of Europe—Congress of Local and Regional Authorities of Europe</p> <p>Recommendation 182 (2005)¹ on public participation in local affairs and elections</p>	<p>Local authorities should establish institutional arrangements to ensure that non-elected groups, ... are closely consulted by those authorities within a clearly defined framework (as is already the case in certain states, for example through consultative councils, citizens' assemblies, residents' committees, users' associations, foreign residents' consultative councils, citizens' forums and public inquiries).</p>
<p>Council of Europe—Committee of Ministers</p> <p>Recommendation (2004)¹³ of the Committee of Ministers to member states on the participation of young people in local and regional life</p>	<p>Governments of member states ... should promote an environment favorable to active participation by young people in local and regional life, by encouraging local and regional authorities to establish, at local and regional level, for example, youth consultative bodies such as municipal youth councils, youth parliaments or forums.</p>
<p>Council of Europe</p> <p>Code of good practice on civil participation (draft)</p>	<p>The principal objective of this instrument is to contribute to an enabling environment for civil society organizations in Member States by defining a set of general principles and guidelines for the civil participation in decision-making processes to be implemented at local and national level.</p>

Example 1
Successful Donor-driven Pilot Projects

Donor-driven Pilot Projects:

Since 2000, USAID and the Urban Institute have conducted model citizens' participation workshops within the Project of Local Governance Reform in Croatia. 181 local units, among others, Bjelovar, Crikvenica, Osijek, Rijeka, and Varaždin, have been included with the aim of providing guidelines for citizens' participation. Some successful examples are:

- Model methodology of a citizens' meeting, practiced during a meeting with a neighborhood council in the area of a bankrupt paper mill, Rijeka. The meeting was designed to collect citizen opinions on possible future use of the bankrupt facilities.
- A general citizens' survey which provided useful information on citizens' priorities, their knowledge of Rijeka activities, and information sources they rely on. The report on the survey results was made available to the media.

Source: interview with officials in local unit (February 2009).

2.2 Broad Legal Framework, Disappointing Implementation

There is a consolidated legal framework at the national level in Croatia included in Table 2.3, which regulates regional (county level) and local (town and municipality level) self-government, as well as tackling some of the issues regarding transparency, cooperation and participation.

Table 2.3
Croatian Legislative Framework for Participation

Documents / national level, June 2009	Rights guaranteed / Obligations of local government
Constitution	<ul style="list-style-type: none"> ▪ Freedom of expression and opinion ▪ Freedom of association ▪ Right to send petitions, requests and suggestions to the administration and to receive answer ▪ Right to local self-government and its independence within legal limits ▪ Right to territorial self-government
European Charter on Local Self-Government (Croatia is a party state)	<ul style="list-style-type: none"> ▪ Preamble—right of citizens to govern local affairs ▪ Established concept of local self-government

Documents / national level, June 2009	Rights guaranteed / Obligations of local government
Law on Local and Regional Self-government	<ul style="list-style-type: none"> ■ Transparency of work, public sessions, publication of documents ■ Direct participation of citizens (referendum, petitions) ■ Right to form territorial self-government and functioning of territorial councils
Law on Financing Local and Regional Self-government Units	<ul style="list-style-type: none"> ■ Publication of local budget
Law on Access to Information	<ul style="list-style-type: none"> ■ Active and passive access to information (regular publication of information, giving information upon request)
Law on Referendum and Other Methods of Citizen Participation	<ul style="list-style-type: none"> ■ Right to referendum ■ Right to hold citizens' meetings ■ Right to write petitions
National strategy on development of civil society (2007–2011)	<ul style="list-style-type: none"> ■ Chapter on participation of citizens in shaping public policies ■ Chapter on system of financial support to civil society organizations
Constitutional Law on Rights of National Minorities	<ul style="list-style-type: none"> ■ Right to elect councils and representatives of national minorities in local and regional government
Law on Youth Councils + national policy on youth actions	<ul style="list-style-type: none"> ■ Obligation to form youth councils in every local unit
Law on Gender Equality + national policy on gender equality	<ul style="list-style-type: none"> ■ Right to form gender equality councils on county level
Law on Urban Development	<ul style="list-style-type: none"> ■ Obligation to hold public discussion about draft urban development plan
Law on Environmental Protection	<ul style="list-style-type: none"> ■ Obligation to inform the public and to allow participation in procedures for estimating impact of development on the environment
Law on Consumer Protection	<ul style="list-style-type: none"> ■ Right of consumer representatives (usually from the CSOs) to participate in the work of bodies dealing with consumer issues ■ Obligation of local units to establish advisory bodies with representatives of consumer CSOs
Law on Culture Councils	<ul style="list-style-type: none"> ■ Obligation of establishing advisory cultural councils in counties and large cities

The national legal framework seems to provide broad basis for cooperation with civil society and participation of citizens. However, most provisions do not apply at the local level or are limited in imposing direct obligations. Moreover, there are no monitoring and evaluating mechanisms. For example, transparency of local government work is provided by guaranteeing public sessions of local bodies and publishing of documents, especially the budget. In practice, however, according to the recent LOTUS survey, publicity and transparency of council sessions in all local and regional units has reached 44 percent of the highest possible score, whereas publicity of local decisions has reached only 32 percent of the highest score.²⁰

The Access to Information Act provides for active and passive right to receive information. In addition, each public body is obliged to designate an information official to facilitate this process. However, annual GONG shadow reports on the implementation of this law show that only 50 percent of citizen's requests for information are met within legal standards. In addition, the LOTUS survey showed that 21 percent of all local and regional units in Croatia do not implement any of the legal requirements for access to information, and others that do implement it have reached only 25 percent of the highest possible score.²¹ As Holzer argues, a *basic premise of citizen-driven government performance is that the data drives the discussion*.²² If individuals do not have understanding of what is going on inside of government, they cannot fully participate in a meaningful way.

Citizens' participation in local decision-making is to some extent included within the national framework, stating the right of citizens to initiate a local referendum if enough citizens sign a petition, the right to form territorial self-government if enough interest is shown, the right to initiate certain issues or acts before local representative bodies if enough citizens sign a petition and the right to public meetings of citizens. However, most of these legal mechanisms are rarely or never used as it is difficult for citizens to fulfill all the legal requirements.²³ Currently, national government is in the process of drafting the Code of Good Practice and Minimal Standards for Consultations with Public and Government Institutions, which would provide for more open consultation processes before adopting laws and policies on the national level. Despite requests from the CSO sector, local governments have not been included in this draft as bodies which will have obligation to consult with citizens and CSOs.

Territorial self-government is potentially the most important link and sometimes the first one in connecting citizens with their local government. Local units can establish territorial self-government at their discretion and, currently, 67 percent of all units in Croatia have done so.²⁴ This includes elections for the members of territorial councils, with a mandate to determine needs and requests of citizens at the lowest level of governance by conducting citizens' meetings, surveys, personal contacts and by other means. Based on collected data, territorial councils can determine a yearly plan of small-scale projects in their area and priorities. In addition, these councils should ideally cooperate closely with CSOs, the business sector, and other institutions, as well as motivate citizens to participate in implementing their programs. Unfortunately, not all local units have the capacity and will to encourage and motivate the work of territorial councils and even when they do, their impact still depends on the will of local government. Members of the councils are usually volunteers and if there is no substantial support from the local government, their work is usually invisible. However, there are some examples of local support, such as those in Example 2.

Example 2

Revival of Territorial Councils Supported by Local Unit

Support for Territorial Councils in Rijeka

There are 33 established territorial councils in the city with 186 elected volunteer members of the councils. Local government established a Department for territorial self-government which serves as a support and coordination point. In addition to regular yearly financing of territorial councils, Rijeka developed two interesting motivation contests for additional funds.

1. Matching funds—up to HRK 5,000.00 of funds available to match collected donations per council.
2. Donations up to HRK 30,000.00 for projects in cooperation with volunteer-citizens and/or business donations.

Besides funding, Rijeka recognized the need to educate those involved in the work of the councils. Therefore a survey was conducted among the councilors about their needs and a program developed for their education. Presidents and secretaries of the councils will participate in the training about facilitation process in order to increase the number of citizens' meetings and their quality. The trainings will be conducted in 2009 by two CSOs from Rijeka, Smart and Delta.

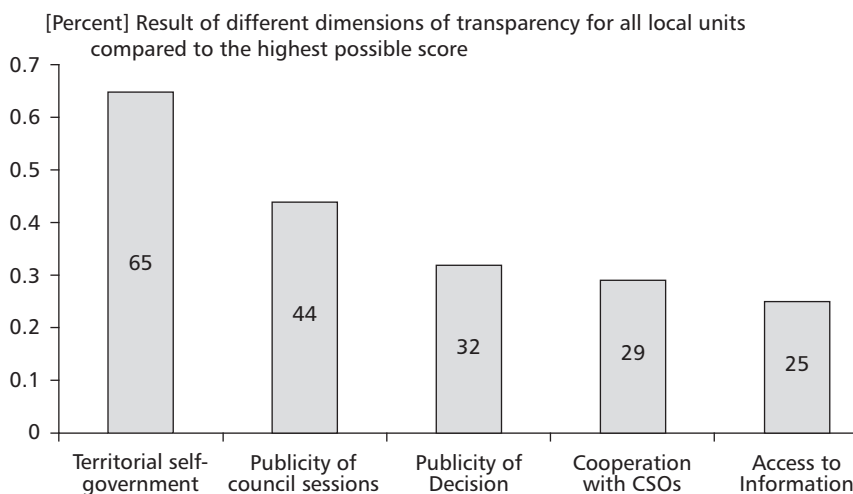
Source: Interview with local unit officials (February 2009), <http://www.sn.pgz.hr/default.asp?Link=odluke&id=15397>.

Cooperation of national government with CSOs is included within the National Strategy for Inciting Civil Society Development (2006). For example, Chapter 4 of the Strategy includes citizens' participation in shaping public policies, and Chapter 8 refers to the financing and support of CSOs. This document is being implemented on the national level and could serve as a good practice indicator for local government, as local governments still need guidance for establishing cooperation with CSOs. This can be concluded from the results of the LOTUS survey where 31 percent of all local and regional units in Croatia did not get any points for cooperation with CSOs, and others that do cooperate have reached only 29 percent of the highest score.

Cross-sector cooperation on all levels in Croatia has just started to develop and so far includes the Law on Youth Councils (2007) and National Policy for Youth (2009), which provide for establishing youth councils as advisory bodies at the local level. The National Policy for Gender Equality (2007) requires the setting up of regional councils for gender equality as advisory bodies. The scope and activities of these institutions are still limited, as they are newly established. In addition, according to the LOTUS survey, only one third of all local and regional units in Croatia have established a cross-sector

cooperation body including representatives of civil society or the business sector in decision making. This suggests a lack of will or capacity to engage in more structural participatory practices. Moreover, only 38 percent of units have implemented the legal obligation of establishing youth councils, more than one and a half years since the legal deadline.²⁵

Figure 2.1
LOTUS project results



Source: <http://www.gong.hr/page.aspx?PageID=185>

In Short:

- lack of democratic tradition and transparent practices resulted in low confidence in procedures and loss of interest by citizens;
- latest research shows that only 16 percent out of a total of 556 cities, towns and municipalities in Croatia satisfy criteria of transparency, openness and responsibility;
- the European trend is shifting decision-making powers to regional and local levels, accompanied by the struggle to increase participation of citizens in local life;
- there is a consolidated legal framework in Croatia that provides a broad basis for cooperation with civil society and participation of citizens;
- the implementation of legal provisions is still fragmented and varies greatly, with no monitoring or evaluation mechanisms.

Overall, the legal framework is not an obstacle for meaningful participation; however, it should be more supportive towards participation mechanisms and evaluate existing ones. The implementation of such a framework at the local level is still fragmented and varies greatly, as has been shown in a nationwide LOTUS survey (Figure 1). It is difficult to expect new and innovative approaches from those local units that struggle to implement even legal requirements.

3. LOCAL FRAMEWORKS AND CAPACITY FOR PARTICIPATION

This chapter will synthesize the research conducted for the purpose of this paper, showing how local institutional frameworks, resources and motivation affect sustainable participatory efforts.

3.1 Participation on Paper

Statutes of local case study units all include different provisions on transparency of the work and participation of citizens. However, there is no unified approach to these provisions or clear standards.²⁶ Most are formulated exactly as provisions from the Law on Local Self-Government and declare minimum legal standards for publicity of sessions, possibility of local petitions, referendum and territorial self-government.²⁷

Some statutes provide additional provisions (other than those prescribed by the Law) enabling more interaction between local government and citizens, as shown in Table 2.4.

Table 2.4
Excerpts from Local Statutes of Selected Case Study Units

Hum	It is obligatory to request citizens' opinions on defined issues.
Kutina	Town issues official publications for informing citizens.
Rijeka	Mayor conducts yearly meeting with citizens.

Rules of Procedure²⁸ for the representative body set more practical mechanisms and detailed provisions on how to attend public sessions of council or how to contact the mayor, the possibility for media representatives to follow the work of local bodies, citizens' access and review of official documents, and so on. A few larger local government units have adopted specific sub-legal acts which seem to enable citizen participation at least from those organized in CSOs. For example, Rijeka adopted a Charter of Cooperation between the City of Rijeka and the Civil Sector (Example 3) and both Kutina and Rijeka have Local Youth Programs and Rules for Financing CSO programs.

Example 3
First Local “Compact” on Cooperation with Civil Society

Charter of Cooperation between City of Rijeka and Civil Sector

Croatia registered its first “local charter” in November 2004, when the City Council of Rijeka adopted an NGO Charter regulating cooperation between the city and local NGOs. The process was initiated in 2001 by five CSOs active in Rijeka with the support of the USAID. The Charter sets city policy toward NGOs, emphasizing transparency in financing NGO activities and three pillars of cooperation—development and consultation, information, and financing. It provides for the creation of a Coordination Committee, consisting of NGO representatives and city government representatives, which sets standards for city departments that finance NGO activities, providing them with templates, procedures, and objective criteria for evaluating grant proposals.

Source: Interview with officials in local unit; charter document: <http://www.sn.pgz.hr/default.asp?Link=odluke&id=2678>.

Most of the options for participation of citizens within local legal documents are not being used or are used rarely (such as local referendum, right to petition local government, and so on). It is positive, though, that local government units include their intentions to cooperate with citizens and institutionalize their practices as much as possible within local acts. Croatia is a highly bureaucratic society which reflects in local governments, too—local civil servants would be reluctant to act without having a legal background for their actions. However, there are only a few examples of specialized acts of cooperation or participation that go beyond the basic legal requirements. This shows that it is hard to cross the line between imposed obligations and own local initiatives. In addition, even where legal background within local documents encourages participation, this is still not enough to ensure sustainable mechanism—other criteria have to be considered as well.

3.2 Struggling with Resources

There are many different factors that influence the capacity of a local government unit to initiate, enable and support citizen participation. Some of the researched local units have been able to (partly) overcome their lack of capacity in specific circumstances, at least offering a more enabling environment for participation. The factors that were considered to be important in helping local governments create a more enabling environment are

identified in Table 2.5 (where they are classified into strengths, weaknesses, opportunities and threats). Regardless of size and geographic position, all local units singled out these factors as important. The lack of human and financial resources coupled with less people using the Internet is more pertinent to smaller units.

Table 2.5
SWOT Analysis of Resources in Selected Case Study Units

Strengths	Weaknesses	Opportunities	Threats
Political will of the local government to enable greater openness and participation	Lack of financial and human resources Lack of knowledge and support	Active CSOs and citizens willing to respond and participate	Open government is prone to attacks from the opposition and dissatisfied citizens
Local government has developed informative and user friendly Internet page	Lack of time and resources to continuously update official Internet page	Internet as the fastest and cheapest way to reach citizens	Use of Internet is still relatively low and varies greatly in urban and rural areas

Source: Interviews at local units.

Some local government units have demonstrated clear political will to open the process of decision-making to participation. However, local officials often speak of the danger of being too open to citizens, as this makes them prone to misuse and attacks from the opposition, stating, for example, opposition might block decision-making processes if there is widespread consultation organized by infiltrating “citizens” who are trying to undermine efforts. (Rijeka, Kutina, Hum). Nevertheless, none of them claim that such problems are a reason to discontinue the practice of openness.

Financial resources differ significantly among the local units. So far, participation of citizens is not a specific budget item or even considered a priority. Finances, however, determine some possibilities for informing citizens and organizing participatory events. Large towns have a special budget item for informing citizens (Rijeka, Kutina); however, participatory events are dispersed over several departments’ budgetary items and therefore hard to trace. This makes it harder for local government units to determine the costs and benefits of participation. In addition, in some municipalities these items for informing citizens and participation have decreased since last year due to budgetary cuts (Hum).

Human resources are another weak spot for facilitating participation of citizens. Some local units are already aware that they need additional staff education regarding participation, information dissemination, use of ICT, managing group meetings and public discussions (Rijeka, Kutina), and some of the staff has already been partially educated. However, there is no coherent approach to investing in human resources and trainings. Staff is being overstretched in the effort to provide some participatory events, which includes working overtime, during the evenings and weekends, with limited support and knowledge. This creates a frustrating experience for all of them.

3.3 Internet as a Tool

The majority of all local government units researched have their Internet pages; they differ in size, style and content. All of them primarily serve to inform citizens, as the Internet is the cheapest and easiest way to disseminate information. There are significant differences in the amount and type of information provided on the Internet pages, depending on the size of the unit, usage of Internet by the population and finances. In addition, some units have started utilizing ICT to engage citizens via interactive content and enabling free access to Internet in the town centers, as shown in Table 2.6. Towns rely more on the usage of Internet pages as an informative and interactive mechanism (Rijeka, Kutina) whereas smaller units such as Hum spend fewer resources on this, considering instead the possibilities of a direct approach to local government officials.

The content and accessibility of information on the Internet pages seems to be directly connected with the size and ICT development of the local unit itself, as units with most financial and human resources have more possibilities included on their Internet pages. However, even when a bulk of information is provided, (for example, Rijeka) there is a danger of overload and citizens not really being able to find what they need or missing something important. Therefore it is important to use citizen-friendly navigation panes.²⁹

Table 2.6
Advanced Use of Internet Page as a Tool in Selected Case Study Units

Town / Municipality	Additional information (other than binding acts and documents)	Interactive content
Rijeka	Explanation of budget for citizens	Internet forum (active), chat and contact form
	Public tenders (including for financing CSOs)	Citizens info service for financial transactions and tracking administrative procedures
	FAQ from citizens	
Kutina	Explanation of budget for citizens	Internet forum (active) and contact form, mayor's blog
	Public tenders (including for financing CSOs)	E-administration system KOTA for tracking administrative procedures
	Forms for citizens	

Source: Interviews at local units and Internet pages.

There are other means of dissemination of information suitable for larger communities, elaborated in the box for Example 4.

Example 4

Dissemination of Information to Citizens by Selected Case Study Units

Info Flyer Kutina

Citizens get a flyer together with community bills explaining new projects or existing services and rights (i.e. consumer rights).

Ri Info and Info Kiosks Rijeka

Information center in the vicinity of city hall provides all information about city services and projects, materials from various city departments and free internet access. Center is used for meetings and presentations with possibility of videoconferencing. There are four kiosks located in Rijeka where citizens can access most services online.

Source: Internet pages and interview with officials in local units.

Citizens of Rijeka³⁰ seem to recognize some of the efforts mentioned above (they are familiar with the possibility of using the internet page as a resource for information, Rijeka News and Ri Info service). However, they would like to see more useful information in the local media (especially on the TV channel partly owned by the town, but not in the way of “advertising” local government, rather motivating citizens) and get flyers with important service information and communal announcements. In general, they feel local media could be better used not only to inform citizens but also to motivate and encourage them to engage locally, as the media can provide feedback from the local government as well.

3.4 Supporting Advisory Bodies and CSOs

Depending on their size and capacity, local units have some cross-sector advisory bodies which include citizens. Some of them are obligatory and regulated by national legislation (youth councils) and some are the result of local government’s need to include more experts in creating local policies, which are included in Table 2.7 (Kutina and Hum show us that even units with limited resources can make an effort to include more citizens in their work). However, the nomination and selection process of including citizens into these bodies does not seem to be sufficiently transparent.

Table 2.7
Work of Advisory Bodies in Selected Case Study Units

Town / Municipality	Advisory bodies / Members	How they work
Kutina	Example: Committee for Park Development. Members usually include citizens nominated by CSOs, recommended by experts or selected by public call.	They meet regularly and reach recommendations which are then taken into consideration by local government in the official session.
Hum	Example: Committee for Internet Page Development. Members usually include citizens, recommended by local government employees or local experts, even local businesses.	They meet regularly and reach decisions which are then taken into consideration by local government on the official session.

Source: Interviews at local units.

As explained by local officials, members have been recommended by local government unit staff, local business owners or local CSOs, and in smaller communities, the local governments already “know who is an expert” and needs to be included. In addition, the bodies have no real decision-making power, as they only recommend certain solutions to the local government. However, some citizens and CSO representatives interviewed warned that this can lead to the “illusion of participation,” creating a situation where local governments always include the same citizens, as they are already well-acquainted with the system and easy to work with.

One practice of a successfully-implemented obligatory advisory body—youth council—comes from Rijeka, as shown in Example 5. It demonstrates the need to have a set of goals or programs in place as a motivation for young people to use their right of participation. On the contrary, Hum could not establish its youth council due to the lack of interest by young people, who did not recognize its possibilities or role.

Local governments feel more at ease communicating with already established groups with somewhat clear goals and membership, such as CSOs. They are more likely to support and encourage development and participation of CSOs, as a first step to establishing a participatory mechanism. In addition, the local government units researched for this study have established some mechanisms for the support of the CSOs in their area. Towns publish tenders for financing the projects and work of CSOs according to the adopted rules of procedure for transparent financing, and the results are publicized (Rijeka, Kutina). Smaller units (Hum) support the CSOs by including their programs directly in the local budget. However, only a smaller part of the local CSOs participate in some forms of decision-making process, for example, by providing experts for advisory bodies of the local unit.

Example 5
Successful Advisory Body

Rijeka Youth Council and Program for Youth Action

The Youth Council was established in 2007 as an advisory body to the local government with the role to promote participation of youth in local life. At the end of 2008, town Rijeka and the Council initiated drafting of a Local Program for Youth which should define major goals for youth development and actions / measures for the five year period. Local Program for Youth was developed in the series of public discussions (seven public workshops with 200 interested participants) including not only youth but local government employees, services, institutions and CSOs. Suggestions were included in the draft. During several months of public discussion on-line consultations were open as well at <http://www.info-centar.eu/>.

Final public debate was held in the city hall, resulting in a draft that was adopted by the city council in March 2009.

Source: Direct observation of events; focus group; internet page: <http://www.rijeka.hr/Default.aspx?art=18034&sec=989>.

3.5 Motivating Citizens

None of the local government units researched has introduced systematic motivational tools for citizens' participation as a permanent mechanism. Most of them are trying to encourage the citizens gathered around CSOs through financial support of their work or providing space for CSO's activities. In addition, there are some examples of attempts to motivate territorial councils (lowest level of self-government) which are the closest connection between citizens and the local government in larger communities. Rijeka and Kutina organize a yearly contest for the best territorial council—the winner receives not only appraisal but a financial prize as well, as shown in the box for Example 6. In addition, Rijeka organizes a yearly contest for the best Internet page of territorial councils, motivating their efforts to provide more information to citizens and engaging them in a more systemic way.

Citizens of Rijeka³¹ seem to recognize the potential of territorial councils; however, they are not satisfied with their effectiveness and work. According to them, councils are still perceived as inactive, closed and generally non-transparent. Some citizens know about the possibility to directly communicate with members of territorial councils during specific hours. They would like more general meetings with their territorial council (citizens of one neighborhood and their representatives in the council) but with a concrete problem-solving approach and someone to facilitate the meetings. In addition, there are examples of territorial councils submitting concrete suggestions on behalf of citizens but local government turning it down.³²

Example 6

Motivation Practice for Enhancing Participation on Lowest Level

Motivation Contests for Territorial Councils

Rijeka marks Territorial Councils Day each year, when the prizes for the best council are announced. Criteria include: diversity of programs, number of users, citizens and volunteers included, other institutions and business sector involved and visibility of the programs in local community.

In addition, the best Internet pages of territorial councils are chosen, as one of the fastest and most user-friendly outreach mechanisms towards citizens. Criteria include: promotion of Internet page, available content and information, accurate and new content, visible impressions, innovations (interactive content, etc.).

These events are a chance to give credit to citizens and volunteers who have participated in creating programs and contents aimed at increasing the level of satisfaction of community members.

Source: Interview with officials in local unit; <http://www.rijeka.hr/Default.aspx?art=17378>.

All local units admit that it can be very difficult to motivate citizens into participation, even when local services encourage and enable such events. Commonly, motivation is high when there is a private issue or interest involved, whereas it is more difficult to motivate citizens for common interest.³³ Disappointment of citizens increases if they are not satisfied with the outcome of their participatory inputs and feel “their interest” has not been respected.³⁴ This is due to the lack of understanding that “common, general interest” and “private interest” do not always walk hand in hand. Such situations are not only frustrating for the citizens, but for the employees of the local government involved in participatory events. It seems that there is a pool of wrong expectations due to the lack of education both on the side of citizens and of local units, which leads to mutual accusations—citizens are “lazy and inactive,” always want “something only for themselves,” whereas local government is “corrupt and incompetent,” not listening to the “real problems and needs.”

Citizens of Rijeka,³⁵ on the other hand, agree motivation is hard to achieve but list a number of possible attractive examples. Firstly, a participatory event or process should be well advertised to inform and attract citizens; as they are overloaded with daily information, it should “wake them up.” Advertising should be continuous and distinctive from other daily news. Secondly, citizens admit they like to be asked in a more personal manner (not through generated emails or public calls only, but personalized letters or even phone calls). Direct and innovative approaches would highly increase their personal motivation and some would even feel honored to be invited. Finally, citizens would need

to see they are not the only ones “making some noise” as no one likes to be the first to come out. A facilitator would greatly help them overcome that feeling. Moreover, it was stressed that such behavior is a result of deeply-rooted fear, as citizens do not believe they are competent or valuable enough to express their opinion on common matters. Competent moderators with experience in communication techniques could overcome such fears and bring those on seemingly opposite sides to the same point of interest.

In addition, citizens want to see concrete results of their input, which is sometimes hard to achieve. Most of them stated that they have no motivation to participate if they know or have a feeling that their inputs will not be included or discussed seriously, if the event is organized just to serve the formalities. They want to see the continuity and get feedback especially if their suggestion has not been accepted. For example, direct observation of public discussion organized in Rijeka showed that expectations of citizens were much higher than the city administration was able to offer at that point, resulting in frustration and dissatisfaction. Such examples could detract even active citizens from future participatory events if the one they attended or heard about was “a waste of time.” In addition, organizing participatory events without having relevant speakers present who can answer concrete questions in a clear manner also adds to the negative experience (see Example 7).

Example 7

Challenges of Short-term Public Discussions

Rijeka—Public Discussion of Development Plan for the Quarter of Trsat (January 2009)

Public discussion was announced in the media (local newspapers) and on the city’s Internet page several days ahead. The entire event lasted one hour, with two introductory speeches (each 10 minutes) and the remaining time devoted to questions and suggestions of citizens, which was not enough. Over 160 citizens participated, with good gender and age balance. Presenters did not bring a projector and screen to facilitate easier insight into the map of draft development plan, which made it impossible for most citizens to be clearly informed about the issue. The procedure of public discussion was explained to citizens only during the debate, not at the beginning. There was no evidence of presenters taking notes of citizens’ suggestions and questions although it was said that suggestions that are accepted will be entered into the development plan directly. Discussion was not productive and resulted in many citizens only asking questions and giving remarks, with many questions left unanswered. Most answers from the presenters explained that the “experts decided on the issue.” while experts were not available to explain and defend the decisions. At moments, discussion seemed slightly chaotic although citizens were very polite. Towards the end, many disappointed citizens left the discussion claiming it pointless.

Source: Direct observation of the event; focus group.

Balancing the duration of public discussions is important as well. If the process is too short, not many stakeholders get the chance to participate or even prepare their contributions. If the process of participation is too long, interest of citizens tends to drop. This has been shown in Kutina (see Example 8), during eight months of developing public policy through a consultation process.

Example 8

Challenges of Long-term Public Discussions

Developing Public Policy in Kutina—Healthy Town

Kutina conducted a public policy development process for sustainable health policy through eight-month-long public consultations. Invitations were sent out to the public in general and, more specifically, to the business sector, unions and CSOs for participation in public discussions. Public discussions were held on Tuesdays at the same venue with the same facilitation, a journalist from the local radio station. All discussions were covered by the local media and published on the town Internet page. In total, 45 presentations and 11 public discussions were held including five different sectors and 23 presenters, mostly local government staff who worked overtime. Approximately 433 citizens participated and 50 concrete suggestions were received. In total, local government believes it was a useful effort. However, as the months went on, the interest of citizens dropped dramatically as they could not be motivated enough to endure systematic discussions on specific topics. At the end, every citizen received a publication about the entire process, published on the Internet page as well.

In smaller communities, it is easier for citizens to feel connected and get direct benefits from their participation, which helps to keep them motivated. Hum (see Example 9) invites its citizens to give suggestions for the yearly budget.

Example 9
Challenges of Narrow-focused Public Discussions

Budgetary Participation in Hum

Municipality officials initiate “individual consultations” with interested citizens during the fall. In addition, suggestions from CSOs, local businesses and other beneficiaries of the budget are collected and distributed to specially organized commissions within the local government. After the commissions sort out the suggestions in a “wish list,” a public discussion is organized in November where all the suggestions are debated. Two weeks after the public discussion, first draft of the budget is developed and sent to the local council for adoption.

Similar discussions are organized in Kutina; however, due to the larger population and higher demands, these represent a tedious process which demands huge resources from the local unit staff.³⁶ In Rijeka, the city invites citizens to give their suggestions for the budget on-line. However, citizens³⁷ feel this process should be enhanced by additionally motivating citizens through the territorial councils in Rijeka to give inputs for budget planning.

Finally, citizens listed some of the “rewards” that would be appropriate for their participatory efforts. Most common is the wish to see the real impact, real change based on their inputs and getting explanations and feedback on it, even if it’s negative. In addition, some state that establishing contacts with local services and building their own credibility as the person participating in important events would be a reward in itself. Some mention small presents, such as books, tickets for cultural events or a simple coffee treat as an appropriate reward and incentive for future participation in case citizens were engaged for a longer time.

4. HOW CAN LOCAL GOVERNMENTS INITIATE, ENABLE, AND SUPPORT CITIZENS PARTICIPATION?

The main criteria for analyzing policy alternatives were the following:

- Interest and will of local governments
- Institutional and financial capacity, knowledge, skills and resourcefulness of local government
- Ability of local governments to motivate citizens

Analyzing indicators of these three criteria within this paper and existing practices has shown that all three criteria are important for meaningful and sustainable participation.

Local governments which show the interest and will to reach beyond the legal minimum and introduce innovative practices face difficulties in providing financial and staff resources knowledgeable and skillful enough to coordinate continuous participatory mechanisms. Even when such attempts are made, citizen turnout can be unsatisfying if they are not sufficiently motivated to participate, which then leads to lack of motivation for local government staff. It seems that if only one of these criteria exists, or even two, the participation cannot be meaningful or sustainable. Therefore, all three are key to ensuring the desired level of sustainable and meaningful participation.

Options A and B below represent the current status quo: how citizen participation has been elicited so far. It has mostly been done through various legal mechanisms and, in a limited number of cases, donor-funded replications of good practices. These have been described in Section 2.2. Option C introduces a new and multi-tier approach which in a certain way encompasses the previous two options, involves different stakeholders (including the national government, relevant associations and champions of participation) and connects different elements addressed in this paper.

4.1 Option A: Amending or Adopting Additional National Legislation

This option refers to amendments to the Law on Local Self-government and adoption of the already drafted code of good practice for consultations between public and government bodies (although the draft code does not include local level authorities, only national level). Some provisions of the existing Law on Local Self-government regarding citizen participation in the local decision making processes are never or rarely used as it is difficult for citizens to fulfill all the requirements.³⁸ New participatory mechanisms that might be more useful could be prescribed as obligatory for the local government. A softer version of this option would include inserting a provision in the already drafted code of good practice for consultations between public and government bodies which would oblige local government units to actively include citizens in decision making for specific documents.³⁹ However, this mechanism does not provide for enforcement as the code would be a voluntary document. In both cases, amending the legislation and the “top down” approach, it could antagonize local units towards their new obligations, as they are already complaining of too many obligations which are not matched by financial decentralization. The practice of the national government so far has shown willingness to amend and adapt legal mechanisms; however, they as a stand-alone do not guarantee meaningful and sustainable participation, as has been shown in Section 2.2.

4.2 Option B: Replication of Existing Examples of Good Practice

This option includes identifying examples of good participatory practice in a broader effort than was done during the research within this paper, and replicating these examples in other local units. It can be achieved through organizing study visits to local units with good examples, consultation with local unit employees that work on participatory events, or by finding small scale donations for pilot projects. However, such approach has already been tried by some donors in Croatia, with only limited success.⁴⁰ The paper has shown some examples of the existing good practice which can be used as a learning model. It is not easy to simply transfer the same model in a different environment or place where different priorities exist. The diversity of local units in Croatia does not allow for a strictly uniform replication, as has been shown in Section 3 through various approaches used by different local units.

4.3. Option C: Developing an Overall Strategic Statement and Specific Action Plan(s)—A “Two-tier” Approach

This option would include a long-term commitment to develop a comprehensive local participation statement for improving mechanisms that enable citizens to participate in a sustainable and meaningful manner, based on careful analyses and determination of citizen participation goals. It would consist of two parts (tiers): a) an overall strategic statement (short) developed on the national level and b) action plan(s) (detailed, developed for each local unit separately). The strategic statement would include the overall goals and national level actions to be taken in order to enhance public participation in local government. Action plan(s) would be made first as a model—a tool for local units with incentives for each unit to modify the model action plan according to their specific needs and develop its own. The main promoters of such actions would be peer associations (Association of Towns and Association of Municipalities) in cooperation with prominent mayors and CSOs.

The strategic statement should include the focused evaluation of an existing legal and institutional framework in terms of its supportive role for participation on the local level with specific recommendations for change. It would address common issues of local units regarding capacity, financial resources, education, promotion, motivation of citizens, and possible participatory mechanisms (including existing successful examples). This would be supported by building peer pressure and creating broad political will for eliciting citizen participation. Creating a competitive environment by the annual promotion of best practice during the already established Info Day for local units would additionally help promote participation.⁴¹ The strategic statement would be developed within peer associations including experts on local self-government and relevant national institutions.

A model action plan would first be developed including actions of possible co-operation with CSOs and the business sector in local units, manners of promoting participation and specific sources for financing a participatory mechanism. This action plan would allow for each interested local government unit to easily develop their own coherent and specific approaches (specific action plans) and include citizen participation into their budget planning or local policies. A model action plan would be developed within peer associations including experts on local self-government and current “champions of participation”—existing towns and municipality mayors with good examples of participatory practice.

Analysis of three available policy options according to the relevant criteria (Table 8) demonstrates that only option C has potential for sustainable implementation.

Table 2.8
Analysis of Policy Options

Policy options	Criteria		
	Interest and will of local governments /national government	Institutional and financial capacity, knowledge, skills and resourcefulness of local government	Ability of local governments to motivate citizens
Option A: Amending or adopting national legislation	National government might be willing to amend / adopt some legislation. Some local units might not be satisfied with new obligations and resist their implementation.	Local units would still lack resources. No legal requirement or obligation can be fulfilled successfully without increasing capacity of local governments.	Changing legal requirements and adding new obligation for local units will not increase citizens' motivation. Local citizens would not have “ownership” of implementation.
Option B: Replication of existing examples of good practice	Some local units might be willing to try replicating existing examples.	Variations of local units in scale, economic sustainability, social development and political culture make replication complicated and less successful.	Replication of existing examples might motivate citizens for a limited time but does not tackle sustainable participation. Local citizens would not have “ownership” of implementation.
Option C: Developing strategic statement and action plans	Inclusion of national and local level and peer associations in the development of the strategic statement (participatory process) might result in greater acceptance of such concept. Local units might be more willing to develop their own action plans.	Action plan that tackles specific issues of local unit and is suited for its capacity might offer possibilities for increasing human and financial resources.	Specific action plans on participation adopted by local units through participatory process might motivate citizens to rely on sustainable participatory approach and (re)gain trust in its successful implementation.

5. RECOMMENDATIONS

In order for the two-tier approach (strategic statement and local action plans) to succeed, there needs to be a synergy and coordinated action between local level and national level, as citizen engagement cannot be “produced” from above or below alone. The focus of the debate should shift from “how citizens can participate” to “how national and local government can support citizen participation.”

5.1 Recommendations for National Government

- National government should accept the evaluation of the existing legal and institutional framework in terms of its supportive role for the participation on local level with specific recommendations for amendment.
- The current draft Code of Good Practice and Minimal Standards for Consultations with Public and Government Institutions should be adopted by the Parliament, which would provide for more open consultation processes and establish clear minimum standards before adopting important decisions and documents on the national level. The draft Code should include local level consultation processes as well.
- Government has the option (according to the Law on Local Self-government) to make annual awards to local units (based on the recommendation of local unit associations) for those units especially successful in strengthening and development of local self-government. As this is a broad definition, some awards might be devoted to those with best examples in citizen participation.
- The Law on Local Self-government provides for continuous education and learning of civil servants in local units through seminars, workshops, trainings, etc. Part of the curriculum for their education (developed by the Central State Office for Administration and their Department for Education and Training of Civil Servants) should include workshop on facilitating and promoting citizen participation.
- The Academy of Local Development (a Government body) is conducting different seminars and modules for local unit civil servants and officials. One of the modules should be devoted to facilitating and promoting citizen participation with best practice examples.

5.2 Recommendations for Local Government and Its Associations

- Peer associations (Association of Towns and Association of Municipalities) should form a working group including mayors, local experts, CSOs, civil servants, and representatives of national institutions, to develop a strategic statement / action plan from policy option C.
- The strategic statement should be adopted on the level of peer associations and later, specific action plans could be developed and adopted on the level of interested local units.
- Peer associations should start offering support and education for interested local units regarding facilitating citizen participation, including best practice examples and promotion of partnerships with local CSOs.
- Local units should provide for (at least) one of their local employees with clear job description to coordinate specific local participatory efforts, events, feedback, fundraising and promotion. Practice has shown that such work will not be fully effective if there is no one in charge of it.
- Local units should apply to funds / donors for resources needed to facilitate citizens participation, based on their action plan. This could be done in cooperation with local CSOs and the local business sector, or even jointly with other (neighboring) local units.
- Local units could plan for promotional activities within local community and the local media (usually owned by that unit), based on their action plan. This resource should be utilized to educate citizens and highlight success stories that will help boost the confidence of the public and promote participation.
- Local champions of participation need support and reward. Therefore, local units could establish annual awards for active citizens and create a network of success stories and people who participated in successful participation efforts to promote experience sharing. This award could be symbolic rather than have significant material value. In addition, this award can be granted during the “European Local Democracy Week”—a new annual European event where national and local events are organized concurrently by participating local authorities in all member States in order to foster the knowledge of local democracy and promote the idea of democratic participation at a local level.⁴²

5.3 Recommendations for CSOs

- CSOs should approach their local governments with proposals to start joint efforts in eliciting participation. This could include proposing to apply for funds jointly and identifying resources needed to facilitate citizen participation together, based on a previously made action plan.
- CSOs could advocate for establishment and promotion of Participation Day within the European Local Democracy Week, as the annual celebration of participatory practices, celebrated on the national level with possibility to spill over in the region and other countries. This celebration should include various participation projects conducted on that day in different local units that will attract media attention and promote participation. CSOs and local units could try to enter the Guinness Record Book with the most simultaneous participatory events in one day throughout the country.

6. CONCLUSION

This paper addresses the possibilities of local governments to elicit, enable and support citizen participation as a long term commitment. It has been shown that such efforts are not an easy task in a transition society such as Croatia, hampered by the oversized administration at several levels of government, continuous decline of public interest in local politics, lack of trust in political elite and government and passive, disorganized citizens.

Adopting a broad legal framework for local government that currently exists in Croatia does not guarantee its successful implementation. Although there are numerous legal mechanisms that (seem to) enable and foster participation, they are poorly implemented even when made obligatory. National LOTUS survey results clearly demonstrate the struggle of many local units to comply with basic requirements, let alone introduce innovative practices.

Some examples of participatory practices that do exist provide a mixed picture—political will and institutional support backed with locally-enforced documents are preconditions for any participatory effort. However, those vary greatly depending on the motivation of citizens, the feedback from local government, duration of efforts and results.

It has been shown that the debate needs to be shifted from how citizens can participate to how local governments can support their sustainable engagement. The appropriate platform for such debate should include three main criteria:

- Interest and will of local governments and the national government

- Institutional and financial capacity, knowledge, skills and resourcefulness of local government
- Ability of local governments to motivate citizens

The proposed policy solution would include a long-term approach to develop a comprehensive local participation concept for improving mechanisms that enable citizens to participate in a sustainable and meaningful manner with a variety of tools to be utilized, based on careful analyses and determination of participation goals. It would consist of two parts: a) overall strategic concept (short) and b) action plan(s) (detailed). Strategic concept would include overall goals and national level actions to be taken in order to enhance public participation in local government. Action plan(s) would be made as a model—a tool for local units with possibility for each unit to modify the action plan according to their specific needs.

In order for this two-tier approach to succeed, there needs to be a synergy and coordinated action between different stakeholders, which is addressed by concrete recommendations for national and local government and CSOs.

Strong political will and overcoming previous mindsets could be the guarantee for successful implementation of such recommendations. The reward would come quickly—easier implementation of local policies and decisions, synergy of added creativity and knowledge that results in improved solutions and citizens who feel connected with their communities as well as leaders. This would open many other doors for thriving of local communities.

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- ¹ Organization for Economic Cooperation and Development (2008) *Engaging Citizens Online for Better Policy-Making*. Available online: <http://www.oecd.org/dataoecd/62/23/2501856.pdf>.
- ² A two-tier system is the result of the decentralization effort—20 regional units (counties) plus the city of Zagreb as a special unit, and 556 local units (towns and municipalities) with special category of large towns (towns with more than 30,000 inhabitants).
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- ⁵ *Ibid.*
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- ⁷ Official State Election Commission Internet page. Available online: <http://www.izbori.hr/2009Lokalni/index.html>.
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- ⁹ According to the previous Law on Neighborhood Communities, such communities were established for the areas which represented territorial units connecting citizens in their everyday activities, where they could directly communicate, agree and decide on their common interests and needs. Today, every local unit can choose whether to establish territorial self-government and provide it with finances to work. These lowest units, however, have no legal personality and cannot operate their own funds.
- ¹⁰ *Supra* note 4, p. 39.
- ¹¹ J. Petts (2001) Evaluating the Effectiveness of Deliberative Process: Waste Management Case-Studies. *Journal Of Environmental Planning And Management* 44 (2): 207–226.
- ¹² Available online: <http://www.iap2.org.au/spectrum.pdf>.
- ¹³ *Supra* note 4, p. 39.
- ¹⁴ The national survey conducted in March and April 2009 on the responsible and transparent local authorities was carried out by two civil society organizations—GONG and The Cities' Association with the financial support of the European Commission, within the LOTUS project. A transparency scale with all regional and local units in Croatia has been developed using special matrix and indicators for transparent and accountable local government. Appendix 1 contains detailed results of this research in selected local units for this paper. More on: <http://www.gong.hr/page.aspx?PageID=185>.
- ¹⁵ *Supra* note 4, p. 8.
- ¹⁶ *Supra* note 14, Final report.

- ¹⁷ Amendments of Law on Local Self-government in 2001 and 2005.
- ¹⁸ Supra note 14, Final report.
- ¹⁹ GONG is a Croatian non-partisan citizens' organization founded in 1997 to encourage citizens to take active participation in political processes—www.gong.hr.
- ²⁰ Supra note 14, Final report.
- ²¹ *Ibid.*
- ²² M. Holzer: *Citizen-Driven Government Performance*, 2005, p. 6.
- ²³ For example, to initiate local referendum there needs to be 20 percent of signature of all voters registered in the unit; however, voter's lists are usually over inflated which effectively means the percentage of signatures is higher.
- ²⁴ Supra note 14, Final report.
- ²⁵ Supra note 14, Final report.
- ²⁶ Each representative body of the local unit adopts its Statute based on the Law on Local Self-government.
- ²⁷ After local elections in 2009, Association of Towns Croatia prepared new model-statutes for local units available on their Internet page <http://www.udruga-gradova.hr/Default.aspx?art=119&sec=48>. The model enhances some provisions regarding transparency of work in local units but has no additional provisions regarding participation other than those provided by the Law on Local Self-government.
- ²⁸ Each representative body of the local unit adopts its Rules of Procedure based on the Statute.
- ²⁹ In 2009 Rijeka re-designed its Internet page to be more citizen-friendly. Special boxes on the home page have been inserted to guide citizens through many possibilities for interaction. One box is dedicated specially to Citizen participation.
- ³⁰ Focus group of six volunteers from Rijeka and interviews with CSO representatives.
- ³¹ Supra note 30.
- ³² During 2009 in Rijeka, 14 territorial councils submitted a written request to local government that Urban Development Plans should not be presented to the citizens on public discussions as finished documents. Rather, the proces of consultations should start early enough to incorporate citizen inputs. This initiative was stopped right before local elections in May 2009.
- ³³ Fierce discussions were conducted about urban planning if the citizens come from the respective neighborhood or own the land in it.
- ³⁴ Land owners did not manage to transfer their land from "rural" to "urban" status during public discussions about amending the urban plan.
- ³⁵ Supra note 30.
- ³⁶ Local staff admitted working evening hours and weekends; high number of participants required additional time and resources.
- ³⁷ Supra note 30.

- ³⁸ For example: citizens have the right to propose to the representative body to pass a certain by-law or to address a certain issue from its scope; The municipal or town council can consult the local citizens' meetings about the proposal of the general by-law or another issue.
- ³⁹ Draft Codex provides for obligatory public consultations before adopting certain legal acts.
- ⁴⁰ USAID project of Local Government Reform—Model of Citizens Participation.
- ⁴¹ Info Day for local units is organized annually by the Association of Towns in October. It has been shown at this event in the past that local units like to compete and present their work, which complements promotion of best practices.
- ⁴² Its purpose is to raise European citizens' awareness of how local authorities operate, to inform them of the opportunities available for taking part in decision-making at the local level and, as a result, draw their attention to how crucial their participation in local affairs is for maintaining the vitality of local democracy—http://www.coe.int/t/congress/demoweek/default_EN.asp.

Citizen Participation in Public Decision-making

*How Subnational Governments
Can Support Citizen Engagement and
Institutionalize Participatory Practices
in Montenegro*

Ranka Šarenac

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EXECUTIVE SUMMARY

This policy study reviews what steps the local administration has taken in Montenegro to reach out and give the wider public a larger role in local decision-making processes. The aim is to offer a roadmap to local governments to improve the current situation by empowering citizens and making their participation a real, beneficial local practice.

The study is based on qualitative methodology, primarily interviews with selected local officials and NGO representatives, a survey of all Montenegrin municipalities, plus an analysis of the municipal websites, the legal documents pertaining to the sphere of citizen participation, and the literature on best practices in the field.

Low attendance by the general public at public discussions or their utilization of any other modes of citizen participation may lead to the conclusion on the part of government that its citizens are simply uninterested, even when opportunities arise. Citizens in Montenegro view the whole situation as overpoliticized yet feel there is little they can do, for no matter how they try, “others” with more power always decide differently. This lack of confidence on both sides, be it the local government doubting citizens’ intentions, or the citizens doubting the willingness of local officials to really consider their needs, undermines the very roots of democracy and Montenegro’s chances to mature as a modern society.

The majority of local officials report that the provisions on citizen participation prescribed by the new Local Government Law and the subsequent legal acts adapt well to the relevant local context, are easy to follow, and sufficient to provide a good basis for citizen participation. However, the majority of local officials say that the current practice is not very convincing, with little evidence of citizens really being involved. No one has any direct responsibility for monitoring the implementation of the Decision on Citizen Participation, nor does a report need to be prepared about the activities organized, challenges encountered, and ways to overcome them.

Meanwhile, any urgent policy intervention would have to be: (a) affordable, without an additional significant input of financial, physical, and human resources; (b) supported by local government; (c) appealing to citizens; and (d) sustainable financially, institutionally, and politically.

Maintaining the status quo has not required much additional input by municipalities, which makes it rather attractive. However, by no means would continuing the current practice appeal to citizens, leading in the long run to complete absence of their input in decision-making.

An ideal solution would include: (a) *changing the legal framework making it more clear and obligatory for local governments to involve citizens*, and (b) *establishing a designated municipal department for citizen participation*. Montenegrin municipalities would need to invest in significant financial, physical, and human resources, substantial obstacles to implementing this option. Furthermore, local government interviewees did not perceive a need to change the current legal provisions.

Considering the limited resources of Montenegrin municipalities, as well as the urgency for changing the status quo, the preferred policy option would be somewhere in the middle. It would require (a) *implementing the existing legal provisions regarding citizen participation* with (b) *existing but redistributed capacities of local governments*. Direct responsibility for the implementation of the Decision on Citizen Participation would have to be assigned to an already existent position/department, designating a citizen participation focal point. It would have to be clearly defined and acknowledged by the entire municipality with an obligation of all to communicate and coordinate efforts accordingly. Local governments could set participatory goals at the beginning of each year, elaborating them within the Plan and Program on Citizen Participation based on their yearly work plans. This option gives a range of possibilities to local governments, enabling them to tailor for their specific needs the envisaged participatory practice.

LIST OF ABBREVIATIONS AND ACRONYMS USED

CAB	Citizen Advisory Board
CoE	Council of Europe
CIEC	Citizen Information and Education Center
CP	Citizens' Participation
CRDA	Community Revitalization through Democratic Action
CRNVO	Center for Development of Nongovernmental Organizations
DD	Direct Democracy
EAR	European Agency for Reconstruction
EC	European Commission
EU	European Union
FOSI	Foundation Open Society Institute
LSG	Local self-government
MNE	Montenegro
NGO	Nongovernmental organization
OSCE	Organization for Security and Cooperation in Europe
SAA	Stabilization and Association Agreement
SEE	South Eastern Europe
TV	Television
UN	United Nations
USAID	United States Agency for International Development
UoM	Union of Montenegrin Municipalities

GLOSSARY OF TERMS

Public discussion (*javna rasprava*)—legally prescribed time period (not less than 15 days) for giving comments, suggestions, opinion on draft Decisions, Acts, Plans, etc., relevant for the local population in the respective local government unit. Public discussion period usually includes the organization of a whole series of public hearings that are referred to also as public discussion by majority of local governments. For that reason we do not make distinction between the two terms in this study.

Public hearing (*javna tribina*)—one time event at which citizens are invited to question, comment, suggest, give opinion on draft Decisions, Acts, Plans, etc., presented by local government representatives.

Communal self-government (*mjesna zajednica*)—decentralized administrative unit of the local government that used to be very active in communist times, while in the 1990s it lost its significance. There are efforts now to revive it within the new local government system.

Municipal Assembly (*skupština opštine*)—local government decision-making body composed of local elected officials.

1. INTRODUCTION

1.1 Montenegro General Context

As an independent and sovereign state for three years, Montenegro is characterized by the stability of its institutions, for which joining the European Union is the foremost strategic priority (EU). The Stabilization and Association Agreement (SAA) was signed on October 15, 2007 and Parliament ratified it with overwhelming support. The National Program for Integration (2008–2012) was adopted in June 2008, while in December of that year Montenegro formally submitted an application to the EU for candidate country status. Within that context the main challenge for Montenegro has been to develop the capacity of its old and new state institutions and their personnel to guarantee democracy, the rule of law, human rights, and respect for and protection of minorities. But Montenegro's system of governance is still hindered by a lack of transparency and accountability, both within horizontal and vertical governing structures. Notable progress has been made in creating a new and favorable legislative framework, yet institutional capacities and implementation need significant strengthening.

1.2 Local Self-government in Montenegro: Legal Foundations

The whole system of the local government in Montenegro desperately needed reform during the 1990s due to years of overly centralized and closed government. The new system, envisaged in 1998, is based on the principles of democratization, autonomy, decentralization, depolitization, the rule of law, and professional and efficient local self-government that cooperates with the state in order to realize citizens' rights and to protect the public interest.¹ It was not until July 2003 that the first package of laws was adopted, i.e., the Law on the Local Self-government, the Law on Financing Local Self-government, the Law on the Direct Election of Mayors.

With just over 600,000 inhabitants, Montenegro has 21 local government units designated as municipalities, out of which two have a special status regulated by specific laws, the administrative capital, Podgorica, and the historical capital, Cetinje. The overall legal basis for citizen participation in public decision-making processes at the local level is set by the Law on the Local Self-government.²

1.2.1 Law on the Local Self-government: Provisions Directly Supporting Citizen Participation

Communal self-government is introduced to meet the needs of local population in the most efficient way. Citizens are the designated founders of the local community as an administrative unit, while a specific municipal decision prescribes the scope of its affairs (arrangement of the settlements, housing, consumer protection, culture, environment, etc.), the way of decision-making, financing, and other relevant issues. In exceptional cases, the municipal assembly may establish the communal self-government.

Citizen participation in realizing the local self-government. Municipalities should create the conditions for, stimulating and assisting citizen participation through different mechanisms. The citizens may directly participate in decision-making through individual initiatives, citizen initiatives, citizen assemblies, referendum (municipal and communal), and may file petitions, suggestions, and complaints in accordance with the statute. Before adopting programs of development, spatial and urban plans, budgets, and other municipals acts related to citizens' rights and obligations, the municipality defines a plan for citizens' participation and designates a body responsible to organize public discussions to last not less then 15 days. The statute prescribes in more detail the way and procedure of the participation, and the municipal assembly adopts a special Decision on the Ways and Mechanisms of Citizen Participation in Public Affairs.

Relations and cooperation of the local self-government and citizens. The municipal bodies are obliged to provide for the realization of the citizens' rights in a legal and efficient way along with the principles of respect for the dignity of citizens. This assumes the adequate organization and professional functioning of the municipal bodies and services, including monitoring and control of their work.

The relations of the local self-government and the NGOs. Local governments and the NGOs should cooperate through information exchange; consultation on development plans and draft local acts, participation in working groups for preparation of the new acts and programs. The local government should organize public discussions, round tables, seminars, etc., jointly with the NGO sector, finance NGO projects of interest to the local community, and when possible provide conditions for the work of NGOs.

Public and transparent functioning of the local government bodies should be provided for through direct access to acts and other official documents related to the local self-government and the rights of citizens, citizen participation in public discussions, publicizing general and other acts, educating citizens, etc. Local government bodies and public services are supposed to inform the public on their operations.

The protection of the local self-government is to be guaranteed by the Constitutional Court. The Union of Montenegrin Municipalities (UoM) may submit an initiative to the President of the Republic not to proclaim a law when it is violating the citizens right to local self-government (LSG). The new law foresees the creation of the Council for the Development and Protection of the Local Self-government. The members of the

Council are to be selected by the assembly among the respected and well-known citizens of the municipality and experts in the fields important for the LSG. The council may give suggestions for the improvement and development of the LSG, for the increase of the quality in service provisions, and for the protection and freedoms of the local population. The relevant bodies should respond within 60 days.

1.2.2 Implementation of Legal Provisions

In February 2005, the government of Montenegro (GoM) adopted a program, prepared by the Ministry of Justice and the UoM for the improvement of the LSG in Montenegro. Among others,³ the program envisaged an analysis of the functioning of the local government system in order to evaluate whether the principles of this new system were achievable and to propose recommendations for its improvement. The analysis was completed in June 2006, including an overall estimate, and more detailed evaluation of the situation in several municipalities. In respect to necessary legal foundations for enabling citizen participation it showed that the majority of municipal assemblies adopted Statute (19), the Decision on Citizen Participation in the Performance of Public Affairs (16), Decision on Local Communities (MZs) (12), while only seven assemblies opted for the Decision on the Council for the Development of the LSG. The conclusion was that much more could be achieved. Harmonizing the legal system with material laws in different areas regarding LSG competences was indicated. In order to provide for coordinated action in that process, the GoM created the Coordination Board for the Reform of the LSG. In October 2007, the board established a working group for preparation of an action plan of the local government reform for 2008 to serve as a basis for improvement and development of local self-government.⁴ In September 2008, Montenegro ratified the European Charter of Local Self-Government.

1.3 International Assistance to Citizen Participation at the Local Level

USAID was the first to support substantial local government reform in Montenegro through a whole series of various implementers since November 1999. Its program on Community Revitalization through Democratic Action (CRDA) brought people together in a new way, implementing projects important for local communities and selected along with them. In 2003, the OSCE supported the creation of Citizen Information and Education Centers in five municipalities along with a pool of citizen participation trainers. For several years, a local government program run by the Foundation Open Society Institute (FOSI–Representative Office Montenegro) was also dedicated to establishing Citizen Bureaus in selected municipalities.

The European Union channeled its resources in support of the local government reform through the EAR program in Montenegro. In 2006, EAR in cooperation with the Council of Europe (CoE) launched a program for strengthening capacities of the local self-government in Montenegro implemented by the UoM in cooperation with the Ministry of Internal Affairs and Public Administration. It included the development of a National Training Strategy for Local Government, programs on best practices and responsible leadership at the local level.

In 2008, UNDP supported the Centre for the Development of Non-governmental Organizations (CRNVO) to develop a handbook for drafting municipal-level Anti-corruption Action Plans. The Plans were to be prepared in a participatory manner, together with the UoM.⁵ FOSI Montenegro also supported the Network for Affirmation of the NGO Sector (MANS), a project to improve the free access to information on the ongoing work of local self-governments through structured web presentations.⁶

1.4 Montenegro: “Citizen State Without Citizens”⁷

The new Constitution of Montenegro (2007) declares it a citizen state where “the Bearer of sovereignty is the citizen with Montenegrin citizenship.”⁸ However, judging by citizen activism at the local level beyond participation in elections, it would be difficult to support these claims. The problem of very low attendance of public discussions or utilization of any other citizen participation mechanism persists, suggesting a pessimistic conclusion that citizens are simply not interested even when the opportunities arise or that they care only about their personal interest rather than the common good. On the contrary, citizens feel that the whole situation in the country is over-politicized and that there is little they can do; even when they try to engage there are always “others” with more power that decide. That lack of confidence on both sides—be it local governments doubting citizens’ intentions and actual capacities to contribute or be it citizens doubting the willingness of local officials to really understand and consider their needs—undermines the very roots of democracy and Montenegro’s chances to mature as a modern society.⁹

The implementation of the new provisions is problematic for two major reasons. To a great extent, local governments still lack a thorough understanding of the significance of participatory approaches. Meanwhile, citizen’s awareness remains underdeveloped.¹⁰

Reflecting on this problem, this policy study tries to answer how Montenegro’s citizens can participate, making it possible for Montenegro to embark more seriously on the course of democracy. The aim is to offer a roadmap to local governments on how to improve the current situation regarding participatory democracy, empowering citizens, and making their participation not only a reality, but also a beneficial local practice that does not have to be forced upon local stakeholders.

1.5 Policy Study: Overall Approach and Methodology

The study reviews how local administrations in Montenegro give the wider public the possibility to take part in local decision-making processes. It focuses on how the new legal provisions regarding citizen participation are being implemented and whether local governments sustained the two-way communication process, going beyond mere representative democracy.

The study is based on qualitative methodology, primarily interviews with selected local officials and NGO representatives (Appendix D), a survey of all Montenegrin municipalities (Appendix C), analysis of the municipal web sites (Appendix B), the legal documents pertaining to the sphere of citizen participation and the literature on the best practice in the field. Interviewed local governments were selected based on the following criteria: geographical location (south, central, and northern regions), political affiliation (ruling party versus opposition municipalities), ethnic diversity, regional importance, and population size. The final sample was to include two municipalities in each geographical location, one controlled by the ruling party and one by the opposition, both reflecting the ethnic diversity of the area, with at least one of regional importance and larger in size.

However, due to the turbulent political scene in Montenegro, there have been frequent local elections leading to an uniformity in local government control with only two opposition municipalities. Therefore, it was impossible to have one ruling and one opposition local government in every region. The two opposition ones were located in the north of Montenegro (Andrijevisa) and in the south (Herceg Novi). In terms of the size and regional importance the one in the south is strategically positioned along the border with Croatia. The other three included historical (Cetinje) and administrative (Podgorica) capitals, both centrally located, plus the biggest northern municipality of Bijelo Polje. In addition, two other northern municipalities were covered, one smaller—mountain tourist center (Žabljak), another larger—off the usual tourist routes (Berane), and one more in the south with the special status under UNESCO (Kotor). In every region the selected municipalities reflected the ethnic diversity of the area.

In total there were 21 interviewed individuals from eight municipalities. The interviews were semi-standardized based on the survey questionnaire prepared specifically for this research (Appendix C) with a more in depth approach. The questionnaire was sent via e-mail to all Montenegrin local governments in the beginning of 2009. Only a few responses were received within the timescale while the rest had to be facilitated by constant phone calls and additional reminders until June of the same year when the final response was received from all 21 local government units. Citizen Bureaus were visited in selected municipalities, one public discussion attended, and one focus group organized involving eight participants (Appendix E). The study involved both qualitative and quantitative indicators of the degree to which the new legal framework was being implemented (Appendix A).

The major limitation in the study is the absence of a more comprehensive approach to getting information from citizens. This was partially compensated for by data from secondary sources. The information received through the interviews and the survey depended very much on the willingness, openness, and knowledge of the respondents.

2. CITIZEN PARTICIPATION IN MONTENEGRIN MUNICIPALITIES: JUST FORMAL OR SUBSTANTIVE?

This section gives a detailed account of the research results, starting with the overall assessment of the current legal provisions regarding citizen participation and today's participatory practice, continuing with a description of each existing participatory mechanism utilized by Montenegrin municipalities, and concluding with examples that go beyond the common practice.

The research included all 21 Montenegrin municipalities through an extensive survey on the issues related to citizen participation in local government decision-making (Appendix C). In depth interviews were organized in the selected municipalities¹¹: Andrijevica, Bijelo Polje, Cetinje, Herceg- Novi, Kotor, Podgorica. In addition, a local government official from Berane and a local NGO representative from Žabljak were interviewed as the opportunity of meeting them arose. Table 1 describes those eight municipalities against the selection criteria, while their geographic location may be seen on the map of Montenegro (Appendix G).

The research does not reveal any kind of particular pattern related to selection criteria, that is, the differences between these eight municipalities do not seem to influence the existing participatory practices. As they well represent the diversity of Montenegrin society, the collected data provides for an all-encompassing approach to elaborating policy options and recommended solutions.

Both the interviews and the survey included questions regarding the current legal basis of the participatory mechanisms, the ways they translate into local government practice, and specific forms of citizen participation utilized. The findings are presented in that order.

Table 3.1
Municipalities Selected for Interviews

Municipality	Geographic location	Political affiliation	Regional importance	Population	Ethnic diversity
Andrijevisa	North	Opposition	Off the main routes	5,785	Serbs (4,027), Montenegrins (1,454)
Berane		Ruling party		35,068	Serbs (16,309), Montenegrin (8,950), Bosniaks (5,662)
Bijelo Polje			Regional center	50,284	Serbs (20,275), Bosniaks (11,377), Montenegrin (8,936), Muslims (7,936)
Žabljak			Mountain tourist resort	4,204	Serbs (2,113), Montenegrin (1,809)
Cetinje	Central	Ruling party	Historical capital	18,482	Montenegrin (16,758), Serbs (853), Roma (129)
Podgorica			Administrative capital	169,132	Montenegrin (96,343), Serbs (44,423), Albanians (9,296), Muslims (4,399)
Herceg-Novi		Opposition	Bordering Croatia	33,034	Serbs (17,470), Montenegrin (9,447), Croats (798)
Kotor		Ruling party	UNESCO World Heritage Site	22,947	Montenegrin (10,741), Serbs (7,094), Croats (1,762)

2.1 Assessment of the Current Legal Provisions Regarding Citizen Participation

Summary of the interview and survey results. The majority of interviewed and surveyed local officials stated that the provisions on citizen participation prescribed by the new legal framework (law, statute, and decision) are well adapted to the local context/culture, clear/easy to follow, and sufficient to provide a good basis for citizen participation. Many perceive them as quality legal solutions. Some concerns were expressed, notwithstanding the fact that they form a good participatory basis, that they are new both to local government and citizens and delays may happen during their implementation.

However, a minority noted that: (1) the Decision on Citizen Participation was well written but impossible to implement due to broad obligations and insufficient local gov-

ernment capacities to realize them in terms of expertise and administration; (2) neither Decision on Citizen Participation nor the decision on local communities adapt well to the local context since citizens are given opportunities to self-organize that they do not know how to utilize; therefore, a concrete responsibility has to be given to someone in the municipality to clarify for them these legal provisions.

The Head of the Mayor's Service of the administrative capital concluded: "*The decision is a good basis for stimulating citizen participation, but in practice, they [local governments] do not use what is prescribed by it and everything comes down to public discussions, newspapers, and website announcements.*" That remark indicates what seems to be true for almost all local governments based on the information received in the course of the research, that is, the possibilities given to municipalities by the Decision on Citizen Participation are not fully utilized. When asked how to engage citizens very few mentioned anything other than public discussions.¹²

Review of the legal text. The careful reading of legal provisions relating to citizen participation leaves some doubts on what really is obligatory apart from public discussions, and what is left to municipalities as an optional choice. The very firm answer of surveyed individuals on the clarity of legal provisions does not seem to stand when held up against the actual legal text.

2.2 Assessment of the Current Practice Regarding Citizen Participation

Citizen perception. Democracy Index Montenegro 2009¹³ records an increased value for the perceived efficiency of civil control of local authority in respect to previous years. Still the value of the indicator (2.49 out of 5) shows that citizens do not think that they can control it very efficiently. The report also indicates an increase (2.79) in perceived transparency in local authorities' activity since 2006 (2.51). However, the possibility for citizens to gain an insight into the process and making important political decisions has decreased according to popular perception (2008: 2.66, 2009: 2.65) as well as the responsibility and conscientiousness of local administration in performing services for citizens (2008: 2.73, 2009: 2.71). NDI Focus group research undertaken in October 2008 concludes that overall citizens feel that local governments do not work enough in their interest, even though the level of dissatisfaction differs among municipalities.¹⁴

Local government resource persons and representatives. Most of the interviewed and surveyed individuals indicated that the current practice seems much less convincing than the legal foundations enabling it. As one local government expert put it, in reality there is no local self-government, just fake citizen participation, that is, municipalities are only satisfying the form with no substance or evidence on citizens really being

involved. Local decisions should be sent to local communities and NGOs for opinion before becoming official drafts, but that is not being done. Suggestions of citizens or expertise institutions should also be taken into consideration during the drafting phase. It is not clear how much information on public discussions is promoted in media and how people are informed about them. Local communities are just extended representative offices of the mayor and have not been self-organized as the law envisages. On the local level there is a replication of the situation at the state level—everything that is not in the interest of the government or that does not bring political points is rejected.

A local official from the capital noted that employees of the city government do not have motivation to give out more information or seek more public participation as it looks like a waste of their time, when in fact it could be a qualitative move forward. The president of the Municipal Assembly of Bijelo Polje concludes that the problem with implementing the Decision on Citizen Participation is on both sides: some local governments only formally organize a discussion without a real wish to involve citizens, while citizens and NGOs do not show enough interest to get involved. It seems that there is still a relationship of superior and subordinate between local government and citizen.

NGO perception. All interviewed NGO representatives, independent of which part of the country they belong, noted that the overall situation regarding citizen participation has not improved, if not worsened in some cases. An NGO activist from the north of Montenegro said that it was difficult to provide for citizen participation when everything was based on party affiliation. A significant number of NGOs was established within the political initiatives, leaving other NGOs little space for maneuver. The pressure on individuals who would like to make change is such that they simply remain silent or leave the country. A citizen who does not belong to a political party or to an NGO confirmed those views: “There is an abnormal political division in society. Everyone has a feeling that any activity they might undertake would politically delineate them. There is a feeling of general insecurity. The common good is often perceived as the good of only one political party.”

The director of a prominent local NGO, one of the few active in the sphere of local government with three regional offices said that local authorities did not really understand significance of citizen participation. There are no people who would animate citizens and no knowledge on public relations and marketing. Even when local governments try to do something, they do not do it as it should be done. It is very rare to see a report being prepared and/or have citizen suggestions taken into consideration. Citizens never receive feedback. Once elected, public officials avoid doing their jobs and using opportunities to hear their constituencies. Likewise, citizens do not know in which way they may participate, and nobody has ever asked them how they would like to be informed.

2.3 Citizen Participation Opportunities in Montenegrin Municipalities

The research shows that 18 out of 21 municipalities adopted the Decision on Citizen Participation as envisaged by the Law on Local Government that came into force in 2003. There is, however, a great variety in timing on when it happened. The majority (nine) adopted it in the course of 2005.¹⁵ Two out of three that have not adopted the decision are in the process of preparing it.

Table 3.2 shows citizen participation opportunities within the current local government organization. A brief review of each specified citizen participation mechanism follows, starting with those designated as consultative democracy.

Table 3.2
Citizen Participation Opportunities in Montenegrin Municipalities

	Citizen Bureau	Receiving Citizens	Box/Book	Public Discussion	Direct Participation	Empty Chair	MZs	Council for Protection
Number of municipalities that utilize	10	21	13	21	14	17	20	8

Note: Total number of municipalities is 21. The bold items are marked to indicate they are utilized in all of them. For detailed account by municipality see Appendix F.

2.3.1 Consultative Democracy

Citizen Bureaus. The establishment of the Citizen Bureau in most municipalities was a joint effort by the central government, international organizations, and local governments. Citizen Bureaus have been established and operate in ten municipalities with several others preparing to do so, a good signal of best practice dissemination initiated in 2001, as the relevant law does not prescribe them. Their main function is to serve as a one-stop shop for municipal services. A number of interviewed local officials said that they were not yet fully functional, needing further vertical electronic connection with municipal departments in order to improve exchange of information and efficiency of operations. Still, by simplifying procedures for obtaining various permits and certificates, Citizen Bureaus are a significant step forward in reframing local government as a service to citizens. However, currently they have little role to play regarding the Decision on Civic Participation. The municipality of Pljevlja seems to be one of the most active in trying to utilize this technique as a way to establish a new platform for relations with citizens. Thus, the Bureau and its five employees are capable to receive every initiative,

proposal, or suggestion and to participate in implementing the program of public discussions. Some other municipalities use their citizen bureaus only for distributing public discussion materials.

Receiving citizens. In all municipalities, as envisaged by the law, local officials and heads of various departments must receive citizens on a regular basis. To see the mayor, chief administrator, or deputy mayor, a written request is required in some municipalities, but that is rather the exception. Usually, there is a time period during the day when the department heads have open office hours. Some mayors set aside specific days while a few do it on an ongoing basis.

Box/Book for Suggestions/Complaints. A book for registering impressions and a box for suggestions and complaints are provided in half municipalities, and are usually located at the town hall entrance or in the Citizen Bureau. However, citizens are unused to these ways of communication and doubt they would actually be considered.¹⁶ Only a few municipalities collect and analyze the information to be then presented by a designated individual, who varies from the Head of the Citizen Bureau, the Secretariat of General Management to the Chief Administrator or Mayor's cabinet. In one of the municipalities the box is opened only once or twice a year indicating insufficient utilization and benefits from that type of consultation.

Public discussions. Table 2 clearly shows that local governments primarily use public discussions when implementing the legal obligations regarding citizen participation. However, many feel that the quality of public discussions, and especially their content and organization, indicates their superficial character and the lack of actual participation. Citizens by and large seem to be inert, believing that they cannot change anything. Those few who attend public discussions are left without feedback on their suggestions. Some of the interviewees claim that by organizing public discussions municipalities are implementing obligations deriving from specific material laws, e.g., the Law on Budget or Urban Planning rather than those from the Law on Local-Self-government and the respective sub-legal acts.

Why Public Discussions Fail

A local government expert who was once the main responsible party for the Union of Montenegrin Municipalities sees two main problems in respect to public discussions: (1) citizens are given the original text of the decision that is to be adopted, even though they are not expert enough to understand the technical terminology, rather than being given an explanation of the proposed changes and the way they will affect the general population or specific groups, (2) when presenting the item in question, local officials merely recapitulate the written explanations accompanying the decision and if anyone gives any suggestions these are discarded immediately as unsuitable. Thus, it is no surprise that there are no suggestions. Plus, knowing fully well that none of the suggestions coming from the opposition pass, citizens may only seek contacts, realizing that nothing else can possibly help.

Even if one only reviews municipal websites (see Appendix B), one is left with a favorable impression of the diligence of local governments in announcing and organizing public discussions with the relevant materials available to the public for review. Yet, the timing of when they are organized (most during working hours), the venue (most in urban areas, few in rural or remote areas), the way of announcing them, the quality of materials provided, etc., could be in doubt.

Announcements about public discussions in some municipalities are not as visible to citizens as one might expect. In Žabljak, local official commented that the transparency of the municipality was rather questionable since decisions are put on the bulletin board, leaving it up to citizens to notice them. She also noted that the decision on the budget was on the website, but that it did not generate citizens' comments. What she failed to mention was that the website was not updated from May 2007 until February 2009 (see Appendix B), when the decision was published. How could citizens know, or at least those who use the web, that after almost two years something was to appear.

Quality of the materials and reports. Although the Decision on Citizen Participation clearly states that materials for public discussion be tailored to target groups, there is no evidence, apart from rare exceptions (simplifying the budget) of municipalities doing so. Also the supposed pre-drafting phase, in which municipalities are to collect citizens' wishes and proposals from different local stakeholders in order to get a clear insight into the problem, is not practiced by at all. It is only after decisions or acts have already been drafted that they are put forward for public discussion. Only one municipality (Kotor) had a report on the implementation of a decision in 2007 prepared by the Secretariat for General Management. It was, in fact, a summary report of all public

discussions organized that year. There is a report in all municipalities on each public discussion, which accompanies the draft decision or any other municipal draft act under consideration by elected officials. Citizens do not have access to this document unless particularly interested in getting it or unless municipality decides to publish it on the website. A majority of the interviewed local officials said that those reports were not sufficiently informative regarding public discussion and any suggestions or comments. Some claimed that all comments and suggestions were elaborated with explanations on what was or was not acceptable. A review of the actual reports collected from five municipalities (Andrijevica, Bijelo Polje, Budva, Kotor, Cetinje) confirmed that they were neither uniform nor structured in regards to their content. None of them gave explanations on what was accepted/rejected from the citizens' suggestions. For those proposed by municipal budget spending units (radio, cultural center, public communal companies, etc.), the statement on what was revised in the budget was given.

Table 3 shows the principal ways municipalities announce public discussions, the estimated number of discussions held since the adoption of the Decision on Citizen Participation, the estimated number of people who participated in each event, and the estimated number of comments put forward by citizens and accepted by local governments.

Table 3.3
Public Discussions in Montenegrin Municipalities

	Announcements	Number of discussions	Number of people	Number of comments
Summary report for all municipalities	Local media (radio, TV), national dailies, LG & MZ bulletin boards, brochures, MZ posters, website, Invitations to stakeholders, public places	Varies from approximately 4 to 40 per municipality, but generally on all legally prescribed acts/decisions	Estimates go from a handful to at as many as 400 in one municipality though the majority report very low attendance	Estimates go from a handful to a considerable number if they are relevant for the act to be adopted

Note: For detailed account by municipality see Appendix F.

As it can be seen in the table in addition to what was reported by almost all the interviewees, be it local officials, NGOs, or citizens as well as surveyed municipalities (see Appendix F), there is not much interest in attending public discussions unless the topic is highly appealing, that is, related to personal interests. The overall impression is that citizens are not interested in the issues of common concern. Some municipalities diminished the number of public discussions organized in local communities (MZs) due to low turn-out, whereas others claimed that those in MZs were much better attended than the central ones in the local assembly building. Overall, it is discussions related to the Detailed Urban Plan (DUP) that provoke the most interest from citizens who either

have constructed a building or are in the process of building. Pljevlja officials excuse the low turn-out at central public discussions by declaring the large territory of their municipality where some villages are even 50 kilometers from town. Citizens of one of the local communes from Kotor municipality, interviewed through a focus group (see Appendix E), explain the lack of interest due to several factors: (1) readiness to criticize, but not to take an initiative for change, (2) fear of the consequences if reacting to what is wrong, (3) nothing ever changes even if they react: “*If you hit the wall several times then you lose the urge to do it again.*” A citizen who actively participates in public discussions emphasizes that apart from the overall lethargy in society, the municipality is not doing its best in informing citizens about such events or organizes them during official holidays. Radio announcements have to clearly state when exactly the discussion will be and not use technical terminology (like in Kotor, “sectors 15 and 16.” which nobody understands.

The research shows that public discussions were organized in all municipalities for major local acts relevant to the local population and prescribed by the legal framework, that is, municipal budget, urban and spatial plans, plans to parcel municipal land for construction, and capital investment plans.¹⁸

Just One Citizen Matters

Kotor public discussion (see Appendix E) turned later into a citizen petition, showing that there is a space for action if deemed promising. It took only one unsatisfied citizen to organize the petition explain the reasons why the proposed solutions were not suitable for the city, engage in collecting signatures, lobby for municipal support, and send the petition to 20 different relevant addresses from the Ministry for Economic Development to UNESCO. The results, however, are yet to be seen.

The Institute of an Empty Chair. Reserved for a NGO representative who may take part in discussion but has no right to vote, this seat has been created in many municipal assemblies, even though they were not legally obliged to do so. . The Assembly Rule Book usually defines the criteria for its usage. NGOs participate depending on the topic, though not very often in some municipalities. There have been a few reported cases of abuse by NGOs that find themselves invited to talk on behalf of all, referring to all agenda points, or lobbying for financial support and then disappearing. This practice has been widely shared and has enhanced the cooperation between the NGO sector and local governments in Montenegro. However, two questions remain: whether NGOs utilizing it really represent the interests of the community and whether citizens approach NGOs to represent their cause. Research data indicates rare cases of the latter,¹⁹ but the fact that it happens opens up a new way of thinking regarding citizen participation op-

portunities at the local level. In Kotor, the empty chair may also be used by individual citizens, though in that case the municipality is not obliged to approve its use without prior consultations.

Decentralized administration (mjesne zajednice MZs). The research shows that only one municipality (Ulcinj) has not established communal self-government (MZs) on its territory, four have yet to complete the whole process, and several MZs remain to be formed (see Appendix F). Their role is still to develop within the new system. The Analysis of the Local Government (2006) indicates that MZs are not the chosen place where citizens decide on their needs and interests. The principal of self-organizing does not seem to be suitable for the current state of affairs as expressed by some interviewees who noted that majority of established MZs were not initiated by citizens. Despite almost all municipalities adopting a decision on creating MZs, not all these plans have come to fruition due to the hurdles of getting citizens together. Still, a number of interviewed stakeholders deem the communal self-government a promising way to increase citizen participation. Some citizens also feel that MZs are orchestrated along political lines, which impairs them from really being representative of local communities. There is no outstanding example of citizens' high interest in MZ elections for its legally envisaged bodies of president and its council), except the case of Andrijevica. The majority report quite the opposite, with cases of only one party coming to the meeting and electing local representatives. In Cetinje, the president of the municipal assembly decided to introduce multi-party councils in the MZs to avoid that problem, but also obliging to have the president and the deputy from different parties.

Councils for the development and protection of local self-government. Such a council has been envisaged as a way of enhancing a nonpartisan and citizen-oriented approach to local government. It should be comprised of an NGO member, local experts, MZ representatives, etc. However, as one of the interviewees noted, no one is really politically neutral. None of the municipalities that have created by now functioning councils²⁰ report that they dealt with issues related to citizen participation. Yet in Bijelo Polje, the council has to check whether the founding of MZs has been done in accordance with legal requirements. In the case of an incongruency, the appropriate municipal services must correct it, which already happened in several cases. According to the MZs decision adopted by the Bijelo Polje Assembly, it is obligatory to obtain the opinion/agreement of the council.

According to both municipal and NGO representatives,²¹ the council in Podgorica is not politically neutral even though it is comprised of nonpartisan members. In fact, they are all very connected to political structures. The council gives its opinion on development, investment, urban plans, and the program of work for the assembly. A nongovernmental member of this council said that none of his initiatives were ever accepted. Thus, the council promotes local government transparency only in theory, even though it could be a vehicle for citizen participation. MZs and NGOs have a right

to propose members of the council to the municipal assembly, but the final selection depends on the will of the majority or on the will of the mayor.

As a response to low number of municipalities that respected the legal obligation to establish the councils, the government incorporated the task within its respective 2008 Action Plan and among the other priorities of the local self-government reform.

Going Beyond Common Practice

Some municipalities have gone beyond the legal requirements to create additional opportunities for citizen participation. The best example is Tivat that organizes *multi-disciplinary working groups* (representatives of institutions, NGOs, political parties) for preparation of relevant local documents such as a Local Action Plan (LAP) for children, litter management, or combating corruption. That practice has been ongoing for the past three years with very good results. Every month the mayor organizes regular *press conferences with journalists*, and there is an *Open Doors Day for NGOs*. They also introduced a practice of *targeted public discussions* (for citizens, NGOs and sport associations, entrepreneurs, etc.). As a positive impact of the citizen participation survey, the local government in Tivat will initiate a special registry regarding public discussions.

In Pljevlja, a similar practice has been reported: public discussions are organized through an extensive participation of various groups, including expertise discussions within the elected officials' clubs, and one obligatory local *TV show*. The majority of participants are elected officials and local community representatives. The Citizen Bureau in Pljevlja organizes all significant public discussions regarding the Municipal Assembly's decisions.²² Local TV and radio stations along with local newspapers regularly report on seminars, public discussions, round tables, and other types of public debate organized by the Bureau.²³ The municipality used a *survey* when creating the Council for the protection of the local self-government.

Citizen Information and Education Centers (CIECs) were established in 2003 in five Montenegrin municipalities within an OSCE project in Montenegro, "Institutionalizing Public Participation in Municipal Affairs." They were meant to provide a new, unique, user-friendly, and efficient way of informing and educating citizens about the local government, offering training to both citizens/NGOs and local authorities. However, almost six years after their establishment, the centers are still struggling with some basic operational issues, having trouble fulfilling their mission. They were registered as NGOs in order to be in a better position to secure necessary resources and to prepare cooperative projects in support of local development. However, that concept has not proved to be as beneficial as expected, giving them too much liberty to function on their own without considering local authorities.²⁴ The centers became encapsulated within their limited scope and even alienated from the respective local government. But municipalities also failed to utilize them in facilitating access to international organizations.²⁵ The concept

was probably too idealistic at the time. As a local professor of local government noted, if a similar idea were to be implemented in the future, it would be better to organize them as part of the local government organizational unit as a legal body, under direct local government supervision, and not as a NGO. In that case the respective local government could not touch in its autonomy, but could impose public policy.

2.3.2 Direct Democracy

Table 2 shows that usage of the instruments of direct democracy is not so widespread among municipalities, though slowly increasing over the years. Citizens use petitions, initiatives, and citizen initiatives (see Appendix F) to fight for their cause, with one local government opting for a consultative referendum as a response. The results of those efforts are diverse. The most prominent example of Herceg-Novi that started as citizen initiative and ended up in consultative referendum did not bring about the expected result although successful at the local level. Citizens and the municipality concurred that the central government was violating their rights by allowing the building of silos for a cargo port along a stretch of coast that should have been protected. Extensive protests did not help and preparations for the silos continued. The message that the citizens of that municipality received, along with the rest of Montenegro's citizens,²⁶ is that nothing can be done against a higher power. As one of the interviewed local experts put it, it turned into farce for gaining political points by local officials.

The Municipal Assembly of Pljevlja, in its session on September 27, 2007, accepted a citizen initiative for adopting the decisions that would define the ways and procedure of legalizing illegally built objects.²⁷ In smaller municipalities with a large rural area, citizen initiatives for improving the quality of life by improving local infrastructure were usually supported by the respective local government. In some villages, the municipality, together with the local population, participated in the construction work.²⁸

3. INSTITUTIONALIZING PARTICIPATORY PRACTICE: BASIC PRECONDITIONS

This section reviews some basic preconditions before participatory practices can take hold, such as transparency of the local government decision-making process, municipal interest in involving local communities, participatory practice in different local contexts, and designating responsibility for implementing the Decision on Citizen Participation.

3.1 Transparency of the Decision-making Process

Being informed is the first step to participation and it is important to measure how much information local governments provide to citizens and in what way. In respect to municipal websites the situation has significantly improved in the last three years though there is still a vast variety in terms of sufficiency of information provided (see Appendix B). Apart from Kotor's municipal website, there is no information on the Decision on Citizen Participation. A large number of municipalities announce public discussions and assembly meetings with accompanying programs to download, while only a few publish adopted decisions on their site. Only one municipality (Rožaje) does not have a functional website, whereas five have an old version posted several years ago (2002) by the Union of Montenegrin Municipalities (UoM). The rest of the municipalities have more or less organized and updated web presentations with information on their ongoing activities, links to various departments as well as to municipal assembly. The municipality of Kotor has the best-organized site, rewarded also as a best practice by the Council of Europe and the UoM. It contains all relevant information with front-page links to local government bodies/officials, MZs, Citizen Bureau, the Decision on Citizen Participation, announcements, brochure on citizens' rights, documents, urban plans, access to information, projects' environmental impacts, and possibilities to ask questions. Even though a limited number of citizens actually use the web in this manner,²⁹ their number surely will increase in the future, so it may be recommendable to standardize municipal presentations or at least decide on the minimum information they ought to provide.³⁰

Although municipal assembly meetings are open to the public and broadcast on local radio and TV stations, information provided through brochures and media is mostly incomplete and does not sufficiently meet citizens' needs.³¹ Municipal acts are published in the *Official Gazette*, a government publication that has to be subscribed to, with limited access in libraries.

Most interviewees agreed that citizens are insufficiently informed on different participatory opportunities. Only a few think that the municipality has done all it can to provide information, claiming that citizens are in fact well informed just uninterested. It is significant to note that none of the interviewed or randomly polled citizens³² knew about the Decision on Citizen Participation, let alone understood what kind of murky possibilities it grants citizens. Even the citizen who organized a petition did not know about the legal provisions guiding the process, preparing it based on her own logic, saying that she would not know whom to ask for assistance in municipality regarding those issues.

All the surveyed municipalities, with the exception of Berane and Danilovgrad, confirmed that there were no educational activities organized to inform and better acquaint municipal officials/civil servants and the general public on the legal provisions

regulating citizen participation. The recently adopted National Training Strategy for Local Self-government might be an answer. The Center for Development of the NGO Sector (CRNVO), within the coalition “Together to the Goal,” started a project on combating corruption and increasing transparency, preparing local petitions in pilot municipalities in a learning-by-doing approach.

3.2 Closing in Versus Opening Up to Local Communities

The interviews with local officials reveal that municipalities would rather opt for giving up on engaging citizens if the current practice does not yield any results, rather than thoroughly analyzing why the practice is failing and what can be done to improve it. It was frequently mentioned that municipalities opted to only organize central public discussions since most public gatherings at the community level did not have enough participants. But local community delegates were usually present at those central discussions, which may seem as a good solution. However, the interviewed local government officials confirm that they often come from the same ruling party as those prevailing in the Municipal Assembly, promoting party rather than community interest. Only organizing central public discussions indicates a closing down instead of opening up to local communities and seems more like a defensive reaction than a proactive approach to resolving a problem. The municipal officials need to ask themselves: why do local community members not find it appealing to participate? Could it all be narrowed down to private interest? Even if that was the case, why could not they try to explain and educate the public about interlinkages of the private and public interest and their interdependent nature?

3.3 Differences Do Not Alter Participatory Practices

As noted earlier, the selected municipalities generally reflect the overall diversity of Montenegrin society in terms of geography, political affiliation, demography, regional importance, etc. But participatory practices did not seem to differ. The amount of available information varies among municipalities but not in line with the suggested criteria and is more likely related to the actual size of the municipality and the available resources.

Even though citizen participation mechanisms in all surveyed and interviewed municipalities remain the same, notwithstanding their differences, it is the quality of participatory events that seems to differ. The attitude of citizens and local officials who take part in these events, as well as their numbers, differ. In a small and rather poor municipality in the north of Montenegro (Andrijevisa), a report on the public discussion on the local budget provides a detailed account on each public meeting, the

number of citizens who attended, and all comments/requests received. In the south, in the larger and wealthier municipality of Kotor, a report on the same topic neither states the number of citizens who participated in each event nor details the discussion.³³ The two reports reveal that the local population in an area that is underdeveloped and with severe infrastructure needs is eager to propose and ask for solutions from local authorities, leading to a significant number of suggestions/requests. On the contrary, in the more developed and well-off municipality, there were no suggestions/requests from the citizens, with only a few clarifications. In several other rural municipalities, local officials reported a high interest among the local population in MZs elections as well as in utilizing instruments of direct democracy for resolving infrastructure problems. One of the interviewees noted that due to smaller population sizes, the possibilities of more frequent two-way communication are higher in rural towns and citizens do take advantage of it.

3.4 Somebody Has to Be Responsible

It is significant to note a whole array of different answers to the question of *who is responsible for monitoring the implementation of the Decision on Citizen Participation*. The majority refers to all local bodies within their respective scope, while the rest claim not to have information about it and that there is no systematized posting for it. Unfortunately, the experience shows that shared responsibility often results in no one actually feeling responsible for the eventual outcome, be it success or failure. Two municipalities indicated their secretariats for general management and social affairs as the responsible offices, even though one of the recently adopted decisions did not refer to that local body but rather to all like in most others. Only in Pljevlja is the office of the chief administrator responsible for implementing the decision. The office prepares a program for public discussion with participation of all local government bodies involved in commissions for preparing decisions. The decision adopted by the municipality of Bijelo Polje is a rare case as it states in article 11 that municipal bodies ought to create a separate service in order to implement the decision and fully involve citizens in the performance of public affairs. However, interviews with local officials did not reveal any evidence of its actual existence.

The question about *periodical reports on the implementation of the decision* either did not have an answer or it was stressed that a report was prepared for each public discussion, so that there was no need for another one. In Kotor, such a report was prepared only once.

The overall evidence suggests that there is no assigned direct responsibility for the monitoring of the implementation of the Decision on Civic Participation, nor is report prepared about the organized activities, the major challenges, or any suggestions about how to overcome them. That obvious gap, along with others identified in the course of the research, call for an urgent and suggestive policy intervention.

4. GETTING CLOSER TO PARTICIPATORY REALITY: POLICY OPTIONS

This section presents three different policy options available to local governments as a response to participatory problem discussed in the study, starting with the evaluation criteria, continuing with description of policy options, and concluding with the summary in the form of the outcome matrix.

In trying to offer a more deliberate roadmap to local governments, this study dwells on a few important questions when considering the preferred policy option:

- a) Can the municipality afford civic participation without an additional and significant input of financial, physical, and human resources?
- b) How supportive would local government be of the proposed option?
- c) Is it going to be appealing to citizens, that is, could it better motivate them to take part in local decision-making?
- d) What are the chances for civic participation becoming a sustainable local practice in respect to all three dimensions of sustainability: financial, institutional, and political (may lead to changes in legislation)³⁴?

4.1 Resisting Change: Continuing on the Same Track

Status Quo—zero option. Local governments may ask themselves why change the current situation if there are no significant problems encountered at the moment. It might seem to them that they were trying all to provide participatory opportunities, but citizens were still not getting involved. In weighing the status quo against the proposed criteria, we see the status quo is attractive to municipalities as it does not require any further investments. However, continuing the current practice would by no means be appealing to citizens, and could not motivate them to really take part in decision-making. Continuing to organize public discussions in a way that is the easiest for local governments, not respecting the provisions put forth in the Decision on Citizen Participation, like adapting the technical materials to the needs of specific groups, selecting time and premises in order to enable more participation, or consulting stakeholders in pre-draft phase, etc. will only contribute to citizens being more frustrated and less interested in participation. Furthermore, limiting participatory opportunities only to public discussions is far from an concerted effort to have include citizens as partners of the local government.

A much more serious dedication of time and effort on behalf of local authorities is required in order to have an ongoing and sustainable consultation with citizens regarding important local issues. Most participatory events organized by the municipalities suffer from overall lack of interest and noticeably low attendance, with only a few exceptions. Considering the eventual contribution of citizens, the current practice does not seem to

be taking root as it may lead to complete absence of citizen input in decision-making in the long run. Thus, it may soon require financial investments, institutional and legal changes to fulfill the participatory requirements of a democratic society, especially keeping in mind Montenegro's key strategic objective: EU accession.

4.2 Determined to Change: Citizen Participation Asks for a New Approach

Policy option A: Redrafting the Decision on Citizen Participation and Establishing Local Citizen Participation Departments

Considering the current situation as the starting point, it is important to define what would be the ideal point towards which local governments may strive. This ideal point would be an obvious policy option for all, but rather unlikely to be undertaken at the present time, requiring an investment of resources beyond any local government's current capacity or will to make significant changes, probably provoking much tension, and putting the sustainability of the practice in question. That ideal solution would include: (a) *changing the legal framework, making it more clear and obligatory for local governments to involve citizens*, and (b) *establishing a designated municipal department for citizen participation*, like best practice shows in some European countries (e.g., Malaga Spain). The first step would require a thorough analysis of the current practice and lessons learned enabling **preparation of a new Decision on Citizen Participation** that would not leave doubts about who is responsible and for what. The new Decision should in no way include provisions that make it easy for local governments to avoid engagement by stating that certain activities depend on the conditions and available financial resources. The new Decision would have far fewer optional and far more obligatory provisions, encompassing more stimulating and enabling citizen participation mechanisms. Thereafter, municipalities should **designate a team of experts to be responsible for its implementation**. This team should ideally be a new municipal entity, be it a service, department, or agency with a clearly defined scope of work regarding all issues relevant for the implementation of the legal framework providing for citizen participation and beyond. This team should also have a responsibility to design an assessment framework to guide continuous monitoring and assessment of the implementation process. Thus, it could always react in a timely manner to incurred delays or problems, finding ways to resolve them through its expertise and close cooperation with all municipal departments and services. The department would be responsible for an ongoing consultation with citizens, organizing public awareness campaigns, trainings for both municipal officials and citizens, strengthening relations with local communities, etc.

The proposed changes might provoke more resistance than support, considering that none of the local government interviewees had any doubts in respect to the qual-

ity of existing legal solutions and that municipalities would need to put in additional financial, physical, and human resources. Embarking on this policy option would turn into being more counter-productive than solution oriented. It would, however, be appealing to citizens, showing them a dedication on behalf of local government towards improving participatory practices, giving them possibility to feel as part of the local decision-making process and not as figures in *ad-hoc* events. In the case the legal changes are accepted, both institutional arrangements and additional financial investments would need to be made to turn legal provisions into sustainable local practice. Although the proposed changes would require only local government involvement, without changes in the national legal framework, it does not seem feasible at the moment.

4.3 Ready to Move Forward: Embarking on Implementation Track

Policy Option B: Fully Implement the Existing Decision on Citizen Participation

Considering the limited resources of Montenegrin municipalities, as well as the urgency of changing the status quo, the preferred policy option at this time would be somewhere in the middle, from the status quo to the ideal point. The full implementation of the existing legal framework, and in particular the elaborate provisions set forth by the Decision on Citizen Participation, would significantly improve the current situation. Therefore, the preferred policy option calls for: (a) *implementing the existing legal provisions regarding citizen participation*, balanced with (b) *a redistribution of the existing capacities of the local governments*. In order to move from rhetoric to reform, it would still require assigning direct responsibility for the implementation of the Decision, but this time rather to an already existing position/department/agency. In that regard, the Decision might have to be amended or municipalities may opt for another way of establishing legal responsibility and **designating a citizen participation focal point**. As one of the interviewees noted, the individuals responsible for the relations with NGOs in the municipality could take on that additional duty. The newly assigned responsibilities would have to be clearly defined and acknowledged by the entire local government unit, with the obligation on the part of all to communicate and coordinate efforts accordingly. In that way municipal officials and civil servants as well as interested local stakeholders would always know whom to turn to in case they need advice or assistance regarding established and newly identified participatory practices. A **system of continuous assessment and monitoring** would be set in place with defined deadlines and reporting channels.

Trying to **implement fully the provisions on citizen participation** would mean that each municipality might decide, based on its current practice, how much of what is stated in the Decision may additionally be introduced in addressing the issue. In that way, the proposed policy option gives a range of possibilities to local governments,

enabling them to tailor the prescribed participatory mechanisms to their specific needs. Furthermore, they could set participatory goals at the beginning of each year, setting them higher every subsequent year. These participatory goals could then be detailed within the Plan and Program on Citizen Participation, making it much more encompassing than the current one relating only to public discussions. The proposed Plan would be elaborated upon and prepared based on the regular municipal yearly work plans and newly set participatory goals. The Decision on Citizen Participation would be used not only to select among prescribed and suggested participatory mechanisms, but also as a basis for an innovative approach that would introduce new ways of participation. Thus, the current practice would be enriched not only by larger number of mechanisms used, but also by new ideas brought forward by the committed individuals based on their experience, training, and insight into the existing best practice.

This would require a major change in attitude within the local structures, along with a change in their positioning in respect to citizen participation. Given the current context, the citizen participation focal point would need to cooperate closely with the Citizen Bureau in municipalities where it was created, building upon their established relations with citizens and utilizing their primary role as the local government's front desk. The Council for Development and Protection of the Local Self-government, as suggested by many interviewed local government representatives, should be looking at all issues related to self-government suggesting how to involve citizens. It should be dealing with the quality and the level of citizen participation as well as with how local officials respond to complaints/initiatives coming from citizens. Local community structures (MZs) should be involved in a more profound way in the implementation of the Decision, having the advantage of their close proximity to citizens. Strengthening MZs' role as partners of both citizens and local government could make them key players in improving the municipal participatory approach. The citizen participation focal point could count on MZ representatives to create participatory networks on the relevant territory and to coordinate the efforts of all interested parties.

The preferred option would not put a significant burden on the municipalities in respect to human, physical, and financial resources: simply those existing ones would be redistributed to meet the set participatory goals. The new practice that would include expanded and more frequent participatory opportunities, along with a designated citizen participation focal point would be appealing to citizens, as they would have whom to turn to if their message is not getting across. With the redistribution of resources, and the creation and strengthening of structural relations, along with stakeholder networks, the practice would be sustainable in respect to all three dimensions. Amending the Decision on Citizen Participation would be beneficial in long run in regards to institutional and political sustainability.

Table 3.4
Outcome Matrix of the Presented Policy Options

	Status Quo	Option A	Option B
Attributes	Status Quo: LGs continue the current practice, i.e. limited implementation of the Decision on Citizen Participation	The new approach: (a) changing the legal framework, making it more clear and obligatory for LGs to involve citizens; (b) establishing a designated municipal department for citizen participation	Embarking on implementation track: (a) full implementation of the existing legal framework; with (b) existing LG capacities redistributed, designated citizen participation focal point
Evaluation Criteria			
Affordable without an additional significant input of resources	Would not require any additional investments	Requires significant additional input of financial, physical, and human resources	Would not be a significant burden: human, physical, and financial resources to be redistributed
Local government supportive	Attractive to LG	Might provoke more resistance then support	Might provoke some resistance due to necessary readjustments
Appealing to citizens	Not appealing: citizens becoming less interested and more frustrated	Highly appealing: would show dedication of LG to improve citizen participation	Appealing: citizens would know who to turn to get the message across
Sustainable financially, institutionally, and politically	Not sustainable: in the long run it may lead to complete absence of citizen input	Sustainable if changes in the legal framework are followed by financial and institutional adjustments	Sustainable: redistribution of resources, creation/strengthening of structural relations, and stakeholder networks

5. CONCLUSIONS AND RECOMMENDATIONS

This section starts with elaboration of the preferred policy option in the form of recommendations for local governments interested in improving their participatory

practice, and gives a more detailed recommendations on how to inform citizens and organize public discussions, concluding with recommendations for local governments willing to accomplish even more in regard to citizen participation.

5.1 Bridging the Gap between Local Government and Citizens

The question remains what policy alternative would have the best results in bridging the gap between local government and citizens in the shortest achievable period of time. By all means, the policy alternative has to put the least financial burden on already very needy municipalities. Therefore, the proposed solution to fully implement the existing Decision on Citizen Participation, in terms of assigning responsibilities regarding citizen participation to an existent service, department, or agency within the municipality, seems feasible. It could offer local governments a choice of where they would like to see their participatory practices, depending on the available resources and willingness to redistribute them to improve the current situation. Every municipality could decide which types of changes would be most suitable for them.

The following measures are recommended to local governments in order to move forward in respect to the status quo, and thereby improve participatory practices in their respective communities. Not all would have to be implemented at once and even just a few would establish some momentum to improve the current situation. Within a specified mutually agreed timeframe, local governments should:

- a) Assign to one of the existing posts/departments/services clear responsibilities regarding monitoring, assessment, and support of the implementation of the legal obligations regarding citizen participation, designating a citizen participation focal point. That might require amending the actual Decision by clearly stating the responsibilities of the citizen participation focal point as well as those of the other departments in respect to it.
- b) Make it obligatory for each municipal department to send information regarding consultative events to citizen participation focal point to enable a proper monitoring, assessment, and support.
- c) Make obligatory the preparation of reports on the implementation of citizen participation legal provisions, preferably twice, and at least once a year. The reports should include all organized citizen participation events with an elaboration of the challenges and possible solutions for each event.
- d) Create a database of all organized participatory mechanisms in a given municipality to serve for analyzing and improving the situation, and enable giving precise data to each interested party.

- e) Initiate a process of registering all consultative and direct democracy instruments utilized in the municipality whether initiated by local government itself or by citizens/NGOs.
- f) Include Citizen Bureaus in the implementation of the citizen participation legal obligations in a more profound way than up to now. Have them receive citizen suggestions, complaints, and queries, responding within a prescribed timeline.
- g) Organize trainings for local officials and civil servants on implementing the Decision on Citizen Participation and their obligations regarding newly proposed responsibilities.
- h) Organize a systematic, well-planned information campaign to acquaint citizens and other local stakeholders with the citizen participation legal provisions. Print and distribute brochures and leaflets with excerpts from the Law on Local Government and from the relevant statutes and Decision on Citizen Participation.
- i) Organize trainings for citizens on their rights/participatory opportunities, offering hands on experience in utilizing given participatory mechanisms.
- j) Prepare a Plan and Program on Citizen Participation at the beginning of each year, based on the municipal yearly plan, and newly set participatory goals, specifying activities, deadlines, and responsibilities.
- k) Have more frequent consultations with citizens and not only at the period of public discussion by expanding participatory opportunities utilizing proposals given in the Decision on Citizen Participation as well as some innovative solutions.³⁵
- l) Strengthen the Council for the Development and Protection of Local Self-government's responsibility regarding implementation of the Decision on Citizen Participation.
- m) Utilize local communities structures (MZs) for expanding participatory opportunities enabling them play the role of facilitators between the citizen and the respective local government.

Furthermore, in order to build the fertile ground for participatory democracy, municipalities should take particular care to inform citizens regarding relevant local issues and participatory opportunities, plus they should prepare and organize public discussions in a more thorough manner.

Informing citizens. Since citizens tend to be insufficiently informed and educated on the possibilities to participate in performing public affairs, campaigns to inform them could experiment with a mixture of different formats to improve their success. Apart from using public service announcements on the radio to invite citizens to its meetings

and events, the municipality should post its announcements at popular public locations, distribute invitations, or directly call/send invitation letters to citizens. The information about participatory opportunities may also be publicized on TV or distributed through pamphlets/brochures, budget permitting. Radio announcements should clearly state what the event would be about, avoiding purely technical terminology that nobody understands. Political parties represented in the Municipal Assembly could help through their own information channels by insisting that the Decision on Citizen Participation is a decision allowing everyone to be heard. National TV should also have role in reporting and explaining citizen participation provisions and events.

The research indicates that when citizens do participate, it is mostly on topics particularly appealing to them personally or professionally. The municipalities should, therefore, try to make an effort in explaining all the relevant issues in a way that citizens may perceive how they connect to their interests.

For example, every household in Montenegro could be reached with relative ease by sending information on citizen participation possibilities together with the telephone or electricity bill. And if reaching out to every citizen seems too much of an effort, municipalities could also contact typical network hubs for different local stakeholders to distribute relevant information. For instance, if there is an NGO association at the local level, it could be contacted directly and asked to distribute the information further through its own network. The same goes for business associations, citizens' groups, etc.

Information provided on the municipal website should regularly be updated and have the possibility to send comments, suggestions, and questions. Citizen Bureaus, CIECs, local government public relations services, officials/civil servants directly serving citizens, etc., could become part of the citizen participation information system, providing information and linking their activities to participatory opportunities.

Public discussions. Before any public discussion, citizens should be briefly informed that a Decision is going to be adopted defining their rights and obligations, with an explanation on how much these are to be increased or diminished. At the public discussion this brief information, given beforehand, should be repeated and citizens should be allowed to comment, without being told immediately that it cannot be done the way they propose. During the discussion, minutes should be taken that would later be analyzed, and only then would a conclusion be reached about the given proposals and why. Finally, the Municipal Assembly will be the one to decide. After public discussion, it would be advisable to publish a brochure underlying which citizen comments have been taken into consideration, which have not, and why. Citizens will be motivated if their suggestions are incorporated and adopted and not outright refused by a local government panel of experts, technocrats, and politicians. As long as the process is not organized in such a way, it will seem more like a farce, creating a climate in which citizens become less interested. By doing it the proper way, people may start gaining trust in the possibility to influence the quality of their lives.

Reaching the target. Those proactive municipalities that find the ideal point achievable and beneficial should organize new teams responsible for citizen participation. Each team would need to be composed of committed, creative, and well-trained individuals with a passion to make a difference in their communities. There are many young professionals in Montenegro who have gone through considerable training relevant to citizen participation issues and they could be a major asset in that respect. The accent should be put more on individuals with citizen participation relevant skills, knowledge of the English language, and who are computer literate than on those with experience in local government. Apart from monitoring, assessing, and providing support to the implementation of the Decision on Citizen Participation, each team should be able to organize training for both local officials/civil servants, interested citizens, NGOs, and other local stakeholders on the opportunities and advantages provided in the law.

5.2 Epilogue

As long as local government remains on one side and citizens on the other, there are no real chances to bridge the gap. Perceptions need to change along with the practices. Misunderstandings and misconceptions still exist on both sides. Only a systematic, committed, and persistent approach of the local government, and where possible joint effort with civil society, may shed some light on the participatory horizon.

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ANNEXES

Annex A

Quantitative and Qualitative Indicators

Quantitative indicators of the degree to which the new legal framework is being implemented will include the number of:

1. Local assemblies that have adopted the Decision on Citizen Participation
2. Local governments that are organizing consultative events envisaged by the Statute and the Decision on Citizen Participation
3. Local governments that prepare a plan on citizen participation and communicate it to the public
4. Citizens that have participated in each consultative event in each municipality
5. Suggestions, demands, criticism put forward by the citizens, citizen groups, or local NGOs taken into consideration by municipalities

In addition to these, the frequency of usage of the instruments of consultative and direct democracy will be considered, along with the issues for which they have been utilized and their eventual impact.

The qualitative indicators would include the following information:

1. The areas of local public affairs covered by the Decision on Citizen Participation
2. Degree to which the prescribed consultative instruments are adapted to local context
3. Clarity and user-friendly approach of the envisaged citizen participation mechanisms
4. Consultative instruments that have been utilized since the adoption of the Decision on Citizen Participation by municipality and/or citizens including NGOs
5. Instruments of direct democracy that have been utilized since the adoption of the new Law on Local Government by municipality and/or citizens including NGOs
6. The quality of the preparation, organization, conclusion, and follow up of the consultative and direct democracy mechanisms
7. Importance/relevance of the suggestions, demands, and criticisms put forward by citizens
8. Identified obstacles to citizen participation both by citizens and local government/NGO reps
9. Degree to which citizens are informed on the instruments of direct and consultative democracy

Annex B Table on the Analysis of Municipal Websites

Table B.3.1
Citizen Participation in Montenegrin Municipalities (Information presented on the official municipal web sites)¹

Municipality	Decision on citizen participation	Public discussions plan and program	Overall organization of the site/Other CP related issues/Comments
Andrijevica Opposition LG	No info	No info	Not well organized: front page link "Information" leads to scarce contact info of 5 local officials
Bar	No information	Posted on the front page with a link to program and detailed information (budget + urban plan for 2009)	Well organized: Links on front page to report a problem, ask the mayor, to local government, to citizen service (further leads to info on citizen bureau and guide to access to info), to assembly (everything related to Assembly with only the latest decisions past)
Berane	No information	No info	Well organized: Links to all LG bodies with further link to projects only on urban planning page, services ("Informator" online), + plans on the front page, 2008 budget; Assembly page has links to Statute, Rules, Elected officials, Program of public works for 2008;
Bijelo Polje	Link present under Municipal Assembly page, but does not work	No info	Seems well organized: Ask the mayor on the front page, Assembly page has only draft Decisions to download + not updated, citizens' rights and local government links on the front page, but further links do not open, link to NGO funding application form, no link to CIEC
Budva	Not found—link to Official Gazette does not work	Announcements + Programs + Reports + public discussion link (further gives draft plans to be discussed) on front page	Not that well: Links to local government (gives info only on mayor and deputy mayor), Official Gazette of the Municipality, Citizen Bureau on front page but not working, information on the Assembly functioning not updated

Municipality	Decision on citizen participation	Public discussions plan and program	Overall organization of the site/Other CP related issues/Comments
Cetinje	No information	Information on the site of the Municipal Assembly which is well organized and with relevant info	Well organized: front page links to local government (gives only contact info), mayor (only his bio), documents (info on LEAP + newsletter but not working), current LG news (projects, protocols signed, visits to villages, donations, etc.) ask LG, visual link to the web site of the Historical Capital Assembly (well organized, info on all sessions, acts, decisions, members, visits to MZ + reports, citizen assemblies in MZ), no link to CIEC
Danilovgrad	No information	Probably as there were no current ones there was no info	Not that well: Front page links to Decision on distributing resources to NGOs, local government (gives info on departments, citizen rights + ways to realize them with appropriate forms), mayor (only info about him), contact info, possibility to write a comment/impressions no questions envisaged, no link to Assembly, link to latest decisions
Herceg-Novi Opposition IG	No info	No info as they were not happening at the moment	Well organized: "Informator" online; Statute, Rules, Work Plan of the Municipal Assembly (all past decisions) + session materials; No link to CIEC
Kolašin	No info	Announcement/links on the front page for all in Nov—draft decisions online + citizens can review them in responsible secretariat, only written suggestions acceptable—no discussions organized only submission of suggestions	Not that well: front page links to secretariats + services (gives description + contacts), executive (only names with photos), public procurement (latest decisions), no link to Assembly, no "Informatory" no possibility to ask the mayor

Municipality	Decision on citizen participation	Public discussions plan and program	Overall organization of the site/Other CP related issues/Comments
Kotor	Posted on the front page	Front page link to announcements leading to all actual public discussions with accompanying info	Very well organized! All relevant info found except the Assembly meeting agendas for 2008; front page links to LG bodies/officials, MZs, citizen bureau, CP decision, announcements, Informator, documents, asking questions, urban plans, access to information, environmental impact
Mojkovac	No info	No info	Not well organized (prepared in 2002 by UoM and not updated since): only tel contact info of municipal departments following the front page link "contacts." no link to Assembly
Niškić	No information	Dates, timing, locations, title	Not that well: the latest decisions, plans, reports on the front page; link to local government which leads to info on all different departments including Assembly Service (contains Statute and some other decisions) but only a few are working and the rest is under construction (best developed site of the service for environmental protection)
Plav	No info	Date, timing, location, info on where to look at the materials and give suggestions—front page	Not that well: front page links to local government, citizen rights, projects, budget (2007), archive, contacts but further following links for more detailed description is not functional; no links to Assembly
Plužine Opposition LG	No info	No info	Not well organized (prepared in 2002 by UoM and not updated since): only tel contact info of mayor and secretary following the front page link "contacts." no link to Assembly
Pljevlja	No info	Front page links to public discussion reports and programs of the new ones	Well organized: links to all local government bodies, services, documents, contacts + the Assembly, estimate of the project's impact on the environment, invitation to NGOs to participate in the Assembly meeting and announcement of the meetings; voting on the priority project for the city; search option; LG news

Municipality	Decision on citizen participation	Public discussions plan and program	Overall organization of the site/Other CP related issues/Comments
Podgorica	No info	Following the link to advertisements—draft decisions with program to download	Not that well (too chaotic); front page links to all LG bodies + Assembly, Citizen rights, Archive of questions & answers, Advertising page—Assembly meetings, Public discussions with Programs; all LG bodies have links to Guides for accessing info; announcements for the NGO financial support
Rožaje			Not functioning!
Šavnik	No info	No info	Not well organized: no info on anything regarding local self-government, not update since 2006
Tivat	No info	Reserved place on the web site for announcements but there were no public discussion at the moment of checking the site; found information on previous events—plan and program of public discussion for various local issues	Very well organized: front page links to Assembly, all LG bodies including Local Communities, General Acts; Announcements on public procurement; public invitations and public discussions, Contacts, Search; Free access to information; Budget; Draft budget for 2009; Forms to download; construction inspection; local action plan for children; requirements for construction permits; feedback on the web portal
Ulcinj	No information	No information	Not well organized: only tel contact info of municipal departments following the front page link “Information.” no link to Assembly nor CIIEC
Žabljak	No information	No information	Not well organized: old contact info, decisions from 5.07.2007; however in Feb 2009 draft Budget was put on the web, and an announcement of the preparations under way for the new modern site

Note: ¹ All web sites: www.nameofthemunicipality.cg.yu apart from Kotor which is www.opstinakotor.com

Annex C

Citizen Participation Questionnaire for Local Governments

1. Did your municipality adopt the Decision on Citizen Participation prescribed by the new Law on Local Government and when? (Please kindly attach the Decision to this questionnaire.)

Yes (Date: _____)

No (Reasons for delay: _____)

2. In your opinion are the provisions on citizen participation prescribed by the new Law and the subsequent local acts (Statute & Decision):

a) well adapted to local context and local culture _____

b) clear and easy to follow? _____

c) sufficient to provide a good basis for citizen participation? _____

Please explain your answer.

3. How far your municipality has gone in implementing the Decision on Citizen Participation?

4. Who is responsible for monitoring implementation of the Decision on Citizen Participation in local government affairs and are there any reports being prepared?

5. How is citizen participation in local government decision-making organized within your municipality?

6. Does your local government have a plan and program of citizen participation?

Yes How often is it prepared? _____

How many have you prepared until now? _____

No Please explain your answer.

7. How do you involve citizens in local government decision-making processes?

8. How much are citizens informed on the instruments of direct and consultative democracy prescribed by the law?

9. Are there official hours in the mayor's office dedicated to citizens or an "Open Door" day?

10. What are the most utilized mechanisms of citizen participation in local government decision-making? (A) used by municipality (B) used by citizens

(A) _____

(B) _____

11. On which matters are you organizing public discussions?

12. How are you informing citizens on the possibility to participate in public discussion or any other consultative event?

13. Have your municipality or the citizens of your municipality used any of the instruments of direct democracy (local referendum, initiative, petition) since the adoption of the new Law on Local Government, and if yes, which ones and what were the issues?

14. Do you have exact information or could you approximate:

a) how many people have participated in each consultative event you have organized? _____

b) how many comments and suggestions put forward by citizens during the period of public discussion have been taken into consideration and/or influenced the final decision of local authorities? _____

15. Which local policies so far have been developed in a participatory manner?

16. Is there a Citizen Bureau in your municipality and does it have any role in the implementation of the Decision on Citizen Participatio

17. Did your municipality establish all local communities (*mjesne zajednice*) and their councils in accordance with legal obligations?

18. Did your municipality create the council for the Development and Protection of the Local Self-government?

Yes (Date: _____)

No (Reasons for delay: _____)

19. What are the problems and obstacles you face in implementing the Decision on Citizen Participation?

20. Are there certain citizen participation practices that go beyond current legal framework, and if so, which ones?

21. In which way could the current situation regarding citizen participation in local decision-making be improved?

Annex D

Local Government Resource Persons, Podgorica

Mr. Djordjije Blažić, Professor of the Local Government, Faculty for Public Administration and European Integration

Mr. Bego Begu, Coordinator for Public Administration, Local Government and European Integration Programs, Foundation Open Society Institute (FOSI), Representative Office in Montenegro

Mrs. Ljubinka Radulović, Local Government Expert/Advisor, Union of Montenegrin Municipalities

Mr. Stanko Marić, General Secretary, Union of Montenegrin Municipalities

Interviews in the selected municipalities

Municipality of Cetinje (Historical Capital)—long time opposition, currently ruling party government; located in the central region

Mr. Radovan Zeković, Manager, Citizen Information and Education Center Cetinje

Mrs. Njegosava-Seja Vujanović, President of Municipal Assembly

Municipality of Žabljak—long time opposition, currently ruling party government; located in the northern region

Mr. Šljivančanin Miroslav, Director, NGO “Društvo Prijatelja Rijeke Tare”

Municipality of Kotor—ruling party government in coalition with the liberals; located in the southern region on the coast and under UNESCO protection

Ms. Tatjana Raičević, Executive Director, NGO “Expeditio.” Kotor³⁶

Mrs. Duška Banićević, Secretary, the Municipal Assembly of Kotor

Citizen X1, female (50–60 years), not a party member, not an NGO member, architect
Active in cultural events and activities of the city, participated in all public discussions related to urban plan of the city³⁷

Citizen X2, female (20–30), lawyer, not a party nor an NGO member³⁸ Employed in the Municipality for one year

Mr. Emil Kriještorac, Elected Official of the Peoples Party in the Assembly, Deputy President of the executive board of the party

Municipality of Herceg Novi, long time opposition municipality, and one of the few that remains so

Mr. Nenad Đorđević, Secretary of the Secretariat for General Management

Mr. Đorđe Ćapin, President of the Foundation for the culture and tradition of Boka “Rastko—Boka,”³⁹ Director of the local museum, elected official in the Assembly⁴⁰

Municipality of Berane—currently ruling party government; located in the northern region

Mr. Remzija Ramusović, Senior Advisor for educational and cultural affairs, informing and relations with NGOs

Municipality of Andrijevisa—long time opposition government; located in the northern region (28.01.2009)

Mr. Radota Pantović, Head of the Service for general affairs, urbanism, and inspection control

Municipality of Bijelo Polje—long time ruling party government; located in the northern region

Mr. Radovan Obradović, Chief Administrator of the Municipality

Ms. Marina Petrić, Head of the Chief Administrator’s Service, lawyer

Mr. Refik Bojadžić, President of the Municipal Assembly

Used to be involved as lawyer-adviser with the CIEC Bijelo Polje

Municipality of Podgorica (Administrative Capital)—for a long time ruling party government; located in the central region (28.01.2009)

Mrs. Nada Stanišić, Chief of the Mayor’s Service and his Principal Advisor

Mr. Goran Đurović, Executive Director, Center for Development of NGOs (CRNVO)

Annex E

Public Discussion and Focus Group Reports

Central Public Discussion in Municipality of Kotor

On the day of the interview (January 14, 2009), a public discussion was also held on Sectors 15–16 of the urban plan, and officially the period of public discussion was to last until January 21, 2009; the report on the process and results was to be sent to the Ministry for Economic Development responsible for the urban plan in the coastal area managed by the state enterprise; the presenters included—an architectural firm from Belgrade that proposed solutions according to the Ministry requirements; representatives from the Ministry and municipal Secretariat for urbanism; and **people attending the discussion who were unsatisfied because the opinion of the city was not taken into consideration earlier in the process**. As a response the architectural firm said that public discussion was exactly the way to agree with the city and that their opinion will become a task for them; the Secretariat for urbanism also complained that local government has not been consulted but that the Ministry is negotiating deals independently of the municipality; in developing their solutions contracted architects first distributed a survey to the interested investor to get their proposals and suggest the most acceptable plan of development for the area; the Ministry has only once invited a municipality to participate.

The overall atmosphere during discussion was one of high tension with even debates arising among citizens themselves on how the process should have been organized in the first place; apart from citizens, there were many elected officials present, but it was mostly ordinary citizens and representatives of municipal Secretariat commenting; among the citizens it was primarily architects who knew more about urban planning and construction who were explaining why the proposed solutions were to the detriment of the city under UNESCO protection; it is later that these very citizens organized the citizen initiative supported also by municipality to fight for their ideas in line with preserving the city's traditional and natural beauties that were the original reason for putting it on the protection list.

Comments of the present citizens: a young female architect in a firm designing plans remarked that public discussions usually turn into political debates; the municipality does not have a vision of development and citizens are consulted only in the phase of preparing the programs and plan for development, but that is no more than a form and very few people participate; another architect, older, female, said that citizens should have been contacted directly instead of having just radio announcements that were just saying that discussion would be on Sectors 15–16, as if citizens are supposed to know what that means.

Author's dilemma: When did the Secretariat for urbanism ask for the opinion of the citizens and relevant local institutions for proposal regarding these two locations? The mayor reported that even a year ago the municipality was complaining about the central government solutions but at that time the citizens did not react, and only now during the public discussion period.

Local Community of Perast

Focus group with a random group of citizens (January 27, 2009)

Perast has only several hundred inhabitants and is part of Kotor Municipality. All interviewed citizens were locals in the very sense of the word, gathered at the family feast of one of them. Out of eight who took part in the session, three were males (one fireman 39-years-old—member of MZ Council, one apprentice 39-years-old, and one pensioner 65-years-old—member of the ruling DPS party) and five females (one student years-old, one pensioner 65-years-old, one nurse 45- years-old, and one unemployed housewife 38-years-old).

- None of them have ever heard of the Decision on Citizen Participation
- There was never a public discussion organized in Perast
- Radio Kotor is not heard in Perast
- In December 2008, there was a public discussion on budget proposal for 2009 organized in Risan and another one was announced in January on the Program of Construction Department; in Kostanjica, a January discussion on detailed urban plan was held.
- Citizens are uninterested, uninformed, only presidents of MZs are invited who just nod their heads
- At citizen gatherings at which the management body of the local community should have been elected not even a quorum could have been reached; when finally managed to have 10 percent of the people had to choose from those present the president and the council
- If you hit the wall several times then you lose the urge to do it again
- 90 percent of MZs members belong to political parties
- Several years ago the citizens of Perast organized themselves to clean one part of the town
- Even when they see things that are wrong, citizens do not react because they are afraid of the consequences

- The majority is always ready to criticize, but not to take an initiative for a change; only financial fines could make citizens do the right things
- For resolving local issues the experts should be consulted and not the party followers
- The attention of the public is all the time distracted by some other issues
- Everything that the municipality has ever promised at the citizen meetings was a lie; they might start digging up the road without ever telling anyone
- Citizen Bureau has improved the efficacy of service provision as the staff is kind and helpful, and one does not have to go to the post and queue

Recommendations:

- Experts in the municipality should be educated to understand the people
- Difficult that anything will change; as the government says that is how it will be

Annex F Citizen Participation Opportunities in Montenegrin Municipalities

Table F.3.1
Citizen Participation Opportunities within the Current Local Government Organization

Municipality	CP decision	Citizen bureau	Receiving citizens	Box book	Public discuss	Direct particip.	Empty chair	MZs	Council for protection
Andrijevica	12.2004	Not yet	Regularly	Yes	Yes/Plan	No	06.2004	16	No Decision Yes
Bar	10.24.2005	2002	Whenever available	Yes	Yes/Plan	Petition, civic initiative, initiatives	12.2006 adopted 03.2007 used	Yes	Decision adopted 03.2007 not formed yet ⁴¹
Berane	12.30.2004	09.2007	Regularly	No	Yes/Plan	Civic Initiative	06.2004	Yes	10.10.2005 15 sessions
Bijelo Polje	12.30.2004	No	Regularly	Yes	Yes/Plan	No	Yes	30 yes 5 not	Yes
Budva	08.08.2005	Not yet	Regularly	No	Yes/Plan	Civic Initiative	2005	Yes	No
Cetinje	05.20.2005	No ⁴²	Regularly	No	Yes/Plan	Petition	2004	Not all	No Decision Yes
Danilovgrad	03.25.2005	No	Regularly	Yes	Yes/Plan	No	2004	8	No/Decision Yes 2007
Herceg-Novi	11.18.2004	Yes	Regularly	Yes	Yes/Plan	Consultative Referendum	Yes	Not all	Yes/for some time
Kolašin	12.29.2004	No	Regularly	No	Yes	No	No	Yes	Yes 2005 /no sessions
Kotor	02.02.2006	Yes	Regularly	No	Yes/Plan	Initiatives, Petition	2005	Yes all	No Decision Yes

Municipality	CP decision	Citizen bureau	Receiving citizens	Box book	Public discuss	Direct particip.	Empty chair	MZs	Council for protection
Mojkovac	No	No	Regularly	Tel No	Yes/Plan	Initiatives ⁴³	2007	Yes all	No
Nikšić	09.12.2005	2001	Regularly	Yes	Yes/Plan	Rarely	2004	Yes	07.03.2006 12 sessions
Plav	12.29.2008	No	Regularly	Yes	Yes/Plan	No	06.2007	Yes	No Decision Yes
Plužine	2005	Not yet	Regularly	Yes	Yes/Plan	Initiative, Petition	No	Yes	Underway
Pļevlja	07.11.2005	01.2005	Regularly	Yes	Yes/Plan	Initiative	2004/44	7 urban, 20 rural	Yes 12.2006
Podgorica	12.27.2004	Yes	Regularly	Yes	Yes/Plan	Citizen Initiative	Yes	Yes all	Yes/selected 10.25.2007
Rožaje	Not yet; being prepared	May 2007	Regularly	Yes	Yes/Plan	Initiative, Petitions ⁴⁵	Yes	Yes	No
Šavnik	08.24.2005	No	Regularly	No ⁴⁶	Yes	Initiative	/	Yes	05.28.2009
Tivat	03.10.2005	2005	Regularly	Yes	Yes/Plan	No/before Decision	03.2005	2/ rest in process	No ⁴⁷ /12.2005 Decision on creating it
Ulcinj	No ⁴⁸	2004	Regularly	Yes	Yes/Plan	No	Yes	No ⁴⁹	No/in preparation
Žabljak	03.2008	No	Regularly	No	Yes/Plan	Petition	No	Yes	No Decision Yes

*Note: "not yet" means that respective municipality is in the phase of preparing for opening it

Table F.3.2
Public Discussions in Montenegrin Municipalities

Municipality	Announcements	No/ discussions	No/ people	No/ comments
Andrijevica	Local radio, LG & MZs bulletin boards, to NGOs	11	20–150	20–30% accepted
Bar	Radio Bar, brochures, MZs posters, web site, invitations to stakeholders for expertise discussions	Approximately 40 for all decisions relevant to local population	15–20 on average	20–30% on average accepted if justified and constructive
Berane	Media, LG & MZs bulletin boards, website	All general acts went on public discussion	Most people not interested	No specific answer as there were many discussions
Bijelo Polje	Local media, website	All relevant decisions	/	/
Budva	Local media (radio, TV), website	Secretariat for urbanism: 5, for social affairs: 2, for economy: 1, for investments: 2; Agency for urban planning: 21	Agency received comments, requests, suggestions from 1300 citizens	Agency positively resolved 70% of requests
Cetinje	Local radio	Approximately 5	Low interest of citizens	Very few; justified ones accepted
Danilovgrad	Local radio, invitation to MZs, NGOs, public enterprises/institutions	15	10–40 depending on the topic	Several; not precise data; with every Decision goes a Report on it
Herceg-Novi	Local radio, website, posters	On all major local Acts/ Decisions	10–15 people at the central one, almost none in MZs	Suggestions mostly not relevant
Kolašin	Local media, LG bulletin board, website	Around 20	400 citizens	No answer
Kotor	Local radio (2 stations), LG bulletin board, website, info to MZs, elected officials, and media	No exact info; all Decisions, Acts of relevance to citizens	Citizens attend when topics of vital significance	Suggestions have an effect

Municipality	Announcements	No/ discussions	No/ people	No/ comments
Mojkovac				
Nikišić	Local media, website	On legally prescribed Acts	Citizen gatherings in MZs most attended 50	
Plav	Local media, website	All prescribed by the Statute	Insufficient	If estimated relevant accepted; none so far change the essence of an Act
Plužine	Website, dailies, local media, public places	Approximately 10	A few - 10051	Considerable
Pljevlja	dailies; public places	Approximately 20	Very few	Very few; Relevant ones accepted
Podgorica	Local media; TV show/presentation	30 (5/budget, 7/ LG decisions, 16/DUP; 2/ rpts on sanitary landfill environment impact)	25-30 on average	The most comments/ suggestions accepted when adopting Municipal Budget for the current year
Rožaje	Website, dailies	/	/	Accepted those in accordance with the legal framework, and leading to improved solutions
Šavnik	Local radio	All relevant	Very few	Practically no suggestions due to low attendance rate
Tivat	Bulletin boards, invitation to MZs	/	Very little	/
Ulcinj	Website, local radio, bulletin boards, daily	More then 20	High for urban plans, low for others	Rarely regarding common interest; accepted when possible / justified
Žabljak	Media, bulletin boards	/	/	/
	Website, brochures distributed in town	Approximately 4	10 on average	Approximately 1/3 accepted

NOTES

- ¹ Government of the Republic of Montenegro (1998) *The Strategy of the Local Government Reform*. Podgorica: Ministry of Justice.
- ² Another “new” law is in preparation based on Montenegro’s new Constitution, but according to the interviewed local government experts, it will not interfere with the existing citizen participation provisions. However, as stated in FOSI strategy, “the fact that a new Law on Local Government is underway, while the one adopted in 2003 has not been fully implemented, may represent a limiting factor in further local government development and strengthening” (page 35).
- ³ An analysis of LSG affairs and another analysis of local self-government financing.
- ⁴ Government of the Republic of Montenegro (2008) *Reform of the Local Self-government: Action Plan-2008*. Podgorica: Ministry of Internal Affairs and Public Administration, Coordination Board for the Reform of Local Self-government.
- ⁵ Vera Devine (2009) UNDP Montenegro Anti-corruption Project Evaluation, March.
- ⁶ Results available online: <http://www.mans.co.me/pravni-program/prava-gradana-i-rad-lokalne-samouprave/>
- ⁷ Stevo Muk (2009) “Citizen State without Citizens.” *Vijesti*, January 2009.
- ⁸ The Constitution of the Republic of Montenegro, October 19, 2007, Article 2.
- ⁹ Ranka Sarenac (2006, 2009) Citizen Participation Research. Based on interviews and surveya of key local government experts, officials, and selected citizens; CEDEM (2009) *Montenegro Democracy Index 2008 & 2009*; NDI (2008, 2009) Focus groups.
- ¹⁰ Ranka Sarenac (2006, 2009) Citizen Participation Research.
- ¹¹ See section on methodology.
- ¹² See the next sections.
- ¹³ Centre for Democracy and Human Rights (CEDEM) (2009) *Democracy Index Montenegro 2009*. Podgorica: CEDEM, Department for Empirical Research.. The index measures the state of democracy on the basis of subjective perception of the citizens through an extensive survey on a representative sample covering all three regions in Montenegro.
- ¹⁴ National Democratic Institute (NDI) for International Affairs (2008) *What do I get out of it? Dissatisfaction and Resignation*, Results of 2008 Focus Groups Research, General Report, Montenegro, December.
- ¹⁵ Six municipalities adopted it at the end of 2004 whereas one in 2006, and two in 2008.
- ¹⁶ Views expressed by LG representatives and citizens in the course of the research.
- ¹⁷ It is a standard practice that the official written explanation comes with the proposed legal text.
- ¹⁸ It also included: investments into maintaining of business premises, construction and re-construction of roads and buildings of the particular significance, strategic plan of development, program of maintenance of local and uncategorized roads, municipal decisions on

- local communities, the creation of a council for the protection and development of local self-government, on establishing assembly working bodies, changes to the statutes on a local action plan for children and youth, on communal police, and on a program and plan to combat corruption.
- ¹⁹ On two occasions citizens approached a local NGO to stand for their interests utilizing this opportunity (survey and interview data).
- ²⁰ Only six of them, as in the other two, it had no sessions yet.
- ²¹ Information gathered through the interviews in the administrative capital.
- ²² Decision on the Budget, Decision on Establishing the Council on the Protection of the Local Self-government, Decision on Communal Police, Decision on Local Communities, etc.
- ²³ For more details see, the Union of Montenegrin Municipalities (2008) *Best Practice Examples*.
- ²⁴ The work of the CIECs has been monitored by the author of this policy paper since their creation to date, through interviews with the personnel and relevant stakeholders including direct visits to the Centers.
- ²⁵ Ranka Sarenac (2006).
- ²⁶ The media closely followed the story due to strikes and demonstrations by local citizens.
- ²⁷ Union of Montenegrin Municipalities (2008) *Best Practice Examples*.
- ²⁸ Building the water system “Malisorsko Vrelo” in Rozaje municipality.
- ²⁹ Some 30 percent are unofficial estimates.
- ³⁰ Appendix B shows information presented on the official municipal websites regarding citizen participation.
- ³¹ *The Analysis of the Functioning of the Local Self-Government in Montenegro*, Podgorica, June 2006.
- ³² Citizens who were encountered in the course of the research, be it on municipal premises, on the street, in shops, friends, etc.
- ³³ Only questions put forward by citizens were noted.
- ³⁴ The concept of sustainability containing three dimensions has been adopted from the South East Europe Transnational Cooperation Programme, South East Europe (SEE) Programme Manual, Version 1.0, May 5, 2008, European Territorial Cooperation 2007–2013, p.20. The author deemed it more elaborate and comprehensive for the analysis than just referring to simply sustainability.
- ³⁵ One of the interviewed citizens suggested to the mayor, “Café meeting with the town’s elite.”
- ³⁶ Telephone interview.
- ³⁷ I met her at the public discussion on urban planning and she accepted to be interviewed at some later point.
- ³⁸ Several other citizens were briefly interviewed in the course of the research on whether they knew about the Decision on Citizen Participation and public discussions being organized in their respective municipalities.

- ³⁹ Established in 1997, registered as an NGO in 2003 (www.rastko.org.yu/rastko-bo) dealing with electronic publishing, also member of the AHA with a few other local NGOs.
- ⁴⁰ Since the last elections that took place on April 6, 2008, on behalf of the Serbian List.
- ⁴¹ There was no sufficient number of candidates who applied, and the 3rd public announcement for suggesting candidates will be published and all previous applications will be reviewed again.
- ⁴² There were several attempts to open Citizen Bureau in Cetinje supported by FOSI and OSCE, but the overall result was just an upgraded archive for the municipality, which is not what Citizen Bureau is meant to be.
- ⁴³ The answer was rather generic so there is no precise info on any of the initiatives.
- ⁴⁴ It was introduced in 2004 within the Statute, but its implementation started in October 2006.
- ⁴⁵ Mostly related to improving the quality of life in the rural area. The municipality responded positively to all.
- ⁴⁶ In the process of preparation.
- ⁴⁷ The announcement was published three times but the Assembly could not create it since elected officials did not find any suitable candidates. In the upcoming period it should be initiated with the new composition of the Assembly.
- ⁴⁸ The stated reason is delay in adopting Municipal Statute.
- ⁴⁹ Decision on forming local communities is still in draft form.
- ⁵⁰ For discussion on municipal budget citizens participate through their representatives MZs, NGOs, public institutions and enterprises.
- ⁵¹ 100 people participated in discussion regarding draft Decision on National Parks, and many suggestions at that discussion accepted and influenced the final Decision adopted by the Assembly.

Public Participation in Serbia: Challenging Reality

*Citizen Participation in Public Decision-making:
How Subnational Governments Can Support
Citizen Engagement and Institutionalize
Participatory Practices*

Jelena Nešić and Jasmina Beba Kuka

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EXECUTIVE SUMMARY

Citizen participation is the process through which people and/or civil society organizations (CSOs) influence and share control over setting priorities, policymaking, resource allocations, and access to public goods and services.¹

This research on citizen participation in Serbia identified a series of problems that effectively block active citizen participation at the local level compounded both by the few mechanisms to share responsibilities among local authorities, civil society organizations, citizens, and the business sector and by the lack of skills and experience among all stakeholders at the local level best suited for active participation processes. In the course of this investigation, we questioned quality and quantity of current public participation as well as existing quality assurance mechanisms, range of not pro forma but real opportunities for a continued dialogue and participation and financial and other resources needed for more active participation at both individual and institutional level. To achieve comprehensiveness of our research we also explored involvement of the key stakeholders in participatory processes at the local level; extent to which building of social capital² in local communities directly increase citizen participation; and initiated a local and national discussion on good and bad practices for citizens' participation. We have concluded that a combination of citizen groups and public hearings, defined through the Model Ordinance and coordinated by Citizen Advisory Boards, is a viable long-term participation vehicle. Our policy option envisages that participation should be stipulated by the local government administration and should distinguish between youth participation and general participation.

The uninformed individual cannot take responsibility to participate; the informed individual cannot but take responsibility to participate.³

1. PARTICIPATION IN SERBIA: PARTICIPATION WITH HISTORY OR HISTORY OF PARTICIPATION

Introduction: What History Brought to Participation in Serbia

In working to improve the existing practices in citizen participation in Serbia, one needs to consider the issues that are an obstacle in creating active citizens and a more participation-friendly local self-government. Currently, there is a lack of many resources and preconditions alongside a rich history of active participation and once well-developed mechanisms. This section will consider the experiences and status of citizen participation in Serbia before the 1990s, when the country was a part of a Social Federal Republic of Yugoslavia, followed by the period of 1990–2000—marked by the turmoil caused by the wars and breaking up of the Federation, the current state of affairs and pillars of the participation system. We also consider best practices at the national level.

1.1 Importance of Citizen Participation in Serbia

Citizen participation is an important indicator of true democracy, since it acknowledges the essential principle of citizens as the basic source of government. Most democratic countries, due to size of the population and the area they cover are representative democracies;⁴ however, they use different forms of direct citizen participation in the decision-making process, principally at the local level. Besides direct participation of citizens in the decision-making process, transparency in the workings of all indirectly elected government bodies and their functioning in the interest of the general public are also integral to democracy. In return, this principle means the right of the people to information of public importance, right to criticize, initiate, suggest, and receive feedback.

Involving people is central to democracy, stands as an indicator of the level of openness of the government, and is an important factor for the vitality and quality of the system. In every system, it is important to look at the constitutional and legal structure, but participation is not a legislative problem. The other dimension of the analysis here is the the practice and circumstances that support or block the active participation of citizens.

There are several factors that influence the nature and quality of citizen participation. These are:

- Levels of decentralization and autonomy of local government,

- Openness and transparency of the government system in general,
- Interest on behalf of the general public, and
- Quality of services provided to the citizens.

Decentralization in itself and the level to which it is achieved is an important systematic indicator of the degree to which the decision-making processes are transferred closer to citizens. Equally, it is very important to see whether local governments have enough competences, that they practice public and democratic elections, that they enjoy the freedom to form new organs and bodies, and adequate financial autonomy. When local governments have enough autonomy, they can effectively include citizens in the process of resolving important local community issues, which is an important motivational factor for citizens. Otherwise, neither the local governments nor the citizens have enough opportunities for decision-making.

In Serbia, as in many other transition countries, citizen participation in the decision-making processes is low on government's priority list; nevertheless, this lack of participation should be observed as an opportunity for a significant increase to test and explore the various creative options in involving citizens.

1.2 Experiences and Status of Citizen Participation in Serbia

1.2.1 Yugoslav Context—Break up of Yugoslavia

Yugoslavia was first formed as a kingdom in 1918 and then recreated as a Socialist state in 1945 after the Axis powers were defeated in the Second World War. The Constitution established six constituent republics in the federation: Bosnia-Herzegovina, Croatia, Macedonia, Montenegro, Serbia, and Slovenia. Serbia also had two autonomous provinces: Kosovo and Vojvodina.

By 1992, the Yugoslav Federation was falling apart. Nationalism had once again replaced communism as the dominant force in the Balkans. Slovenia and then Croatia were the first to break away, but only at the cost of renewed conflict with Serbia. By the end of 1992, another conflict had broken out in Bosnia, which had also declared independence. Much later, American pressure to end the war eventually led to the Dayton Peace Accords of November 1995, which created two self-governing entities within Bosnia: the Bosnian Republika Srpska and the Muslim (Bosniak)-Croat Federation.

In 1998, nine years after the abolition of Kosovo's autonomy, the Kosovo Liberation Army—supported by the majority ethnic Albanians—came out in open rebellion against Serbian rule. Threats of military action by the West over the crisis culminated

in the launching of NATO air strikes against Yugoslavia in March 1999, the first attack on a sovereign European country in the alliance's history.

Meanwhile, relations between Serbia and the only other remaining Yugoslav republic, Montenegro, hit rock bottom, with Montenegrin leaders seeking to distance themselves from Slobodan Milošević's handling of Kosovo. Yugoslavia has disappeared from the map of Europe, after 83 years of existence, to be replaced by a looser union called simply Serbia and Montenegro, after the two remaining republics. In June 2006, Montenegro declared independence after a public referendum.

1.2.2 Evolution

Before the 1990s, Yugoslavia was a decentralized country. The process of decentralization started from 1950s and "*Samoupravljanje*," was introduced as the basic model of rule of citizens, with encouragement to include citizens in the decision-making process. In this period, so-called "self-management interest communities" were formed as institutions in which the quality, price, and possible correction of all public services of local governments and society in general were debated. The structure of these organs comprised of service providers, service users, and experts.⁶

The Constitution of 1963 further developed this system, by introducing local settlement units—*Mesna Zajednica* (further referred to as MZ)—as a form of territorial organization and government decision-making. From this point on, forms of direct decision-making, such as referendum and public meetings were firmly promoted and practiced. These changes spread the self-management principle in public companies⁷ and at all levels of government (municipality, republic, and federation), and state property grew stronger and stronger, as did the solidarity principle,⁸ and economic and social security. The municipality becomes a cornerstone of the system and the "communal system" was established (the definition of authorities of local governments)

Finally in 1974, a reform of the constitutional system, considered to be the summit of the well-developed self-management structure, democracy, and decentralization, was passed. The republics and the provinces were given stonger elements of statehood, so Yugoslavia gained many characteristics of a confederate system. In a municipality, which was the basic unit of this system and the smallest local government unit, four committees of the assembly were formed, following specific principles and interest of the citizens:

1. Labor organization (labor principle and interests),
2. MZ (territorial principal and interests),
3. Socio political and social organizations (political principle of organization), and

4. Self-management interest communities (form of interest organization). These interest organizations elected their own delegations that were again electing their delegates for certain assembly committees. In such way, the delegate system was developed with an aim of strengthening the link between citizens and government organs.

In labor organizations, MZs, socio-political and social organizations, and in self-management interest communities, delegations were formed. They reviewed all questions relevant for the decision-making in the assembly and gave delegates directions for decision-making. The delegates, however, had a free mandate that gave them the right in the assembly to decide by free will, having in mind the overall interest of the community.

1.2.3 1990–2000

In 1990, the communal system was abandoned, and local self-government was introduced, as well as the centralization of the system. Two adopted laws on self-government (1991 and 1999) neither guaranteed nor protected the municipalities. In this period, municipalities lost a lot of their previous competencies; in 1995, their property was taken; financially, they became strongly dependent on state subsidies; their basic revenue was insignificant and taxes were collected by state organs. MZ were not a mandatory form of organization, but they typically remained active in the rural areas; still, many disappeared.

The legislature sees a municipality as a deconcentrated state unit to transfers tasks to and to control directly.⁹ The government could dismiss the municipal assembly (Article 213) and form temporary, provisional organs during the first year and the provisional government often remained during the whole mandate. This type of dependent position of the municipality was often the source of tensions and open conflicts of local and central governments, so that large number of municipal administrations were dismissed.

The prevailing political environment strongly incited autocratic political values, weakened the capacity of local governments, and paired with a great impoverishment, wars, and insecurity, brought about a strong marginalization of Serbia's citizens. Even after 2000, there is a strong presence of autocratic concepts and values by which the government must be respected, its work is not to be questioned, it need not be accountable to anyone, and need not take responsibility for its results. The government is immune to eventual failures, and does not conform to the wishes of its citizens, but rather vice versa. A change of these values is very difficult to achieve, and requires sacrificing and time.

1.2.4 Current State of Affairs

After 2000, a process of democratization, modernization of the local government system, and decentralization was launched. In this period, the Law on Local Self-government was adopted (2002 and 2007), and the Law on Local Government Financing that secured financial autonomy (2006), and several other sector laws were passed to increase the competencies of local governments (education, health, social services etc). One of the most significant problems was the return of the property to local governments, which has been delayed during this entire period, even though a draft law on this matter has been in parliament for years (and previously—in the form of a proposal/draft—has been subject to rigorous debate for over two years).

1.3 Pillars of the Participation System

The current Constitution of Serbia was approved by a constitutional referendum held in 2006 (October 28 and 29). It was officially proclaimed by the Parliament of Serbia on November 8, 2006, replacing the Constitution of 1990.¹⁰ The Constitution and the Law on Local Self-government (proclaimed in 2007) regulate the basic principles of participation. They determine that sovereignty comes from the citizens and that they could work through referendums, public initiatives, and through their own free elected representatives (Article 2 of Constitution). Everyone has the right to submit petitions and suggestions, propose initiatives to all bearers of public functions, and to obtain an answer from them (Article 56). The citizens have the right to participate and to be part of public management, or participate in any initiative of public interest; citizens have the right to take part in public services and to take public functions under equal conditions (Article 53). The Constitution also states that no state organs, political organizations, groups, or individuals can take the sovereignty from the people, nor from the government, without the freely expressed will of the people (Article 3). The Constitution guarantees the rule of law that is implemented through free and direct elections (Article 52). With the Constitution, the citizens have the right to provincial autonomy and local self-government through direct and freely elected representatives. The Constitution protects the freedom of thought, speech, and association, and especially the right of people to be informed (Article 51). Related to this, the Constitution protects the right to free access to information in possession of the government bodies and organizations of public interest (Articles 46 and 51).

1.4 Levels of Local Self-government

The levels of local self-government are municipalities, cities, and provinces. Municipalities are fairly large in size (on average, over 55,000 population), which can potentially mean a democratic deficit in terms of the possibilities for citizens to organize themselves in smaller areas to resolve the issues of their immediate community. In that sense, the Law on Local Self-government has introduced the possibility (but not an obligation) for the formation of MZs as an even more direct territorial level of citizen organization. The law states in the Article 70 that “due to satisfaction of needs and interests of local population in the rural areas, MZs can be formed in the cities, quarters, blocks, zones, etc. Local self-government can be established for two or more villages.” The MZ has the status of a legal entity (Article 74).

1.5 Government Organization

The new Law on Self-government has introduced the so-called “entrepreneurial” model: a directly elected mayor and city manager. This model acknowledges the individual responsibility of the mayor toward citizens instead of toward political parties; and professionalism (manager) with the aim of creating a stronger link between the quality of services provided by a municipality with the actual needs of the citizens.

Resistance to these processes can be observed in the fact that the new Constitution contains an unconstitutional matter, stating that the Municipal Assembly decides on the election of executive bodies (Article 109, point 4), which indirectly puts forward the model of a weak mayor. This resolution is an expression of the needs of political parties to control and use several benefits from having “their own mayors” but also a resentment towards the responsibility of a directly elected mayor to his or her constituency.

1.6 Forms of Indirect Citizen Participation

The Law on Local Self-government recognizes that the referendum, civic initiative, and citizen meetings are forms of direct participation (Article 65). Article 14, paragraph 6 stipulates that the municipality calls for a referendum (on the whole territory or just one part of the territory), gives opinions on citizen initiatives, and determines proposed amounts of voluntary tax.

1. Through **civic initiatives**, citizens suggest to the municipal/city assembly the adoption of local legislation that will regulate a certain issue within the original municipal/city competencies, change of statute, or other acts, or launch of refer-

endum, in accordance with the law and the statute. The assembly is in charge of holding a discussion on the proposal and responding to citizens within 60 days from receiving the proposal. A statute of the local self-government units determines necessary number of citizen signatures (not less than 10 percent of voters in order for the initiative to be legally viable—Article 66).

2. **Citizen meetings discuss** and give proposals on issues from the competency of the municipal organs and with majority of votes from the present group adopts requests and proposals, and sends them to the assembly or its departments. Municipal bodies are to review the proposal within 60 days and act upon them—that is, adopt a certain decision or measure and inform the citizens about it. A statute and decision further regulate the ways of calling a meeting, its agenda, part of the municipal/city territory for which the meeting is being called, and the way of determining the meeting’s conclusions (Article 67).
3. Articles 68 and 69 in detail stipulate **the municipal referendum** as a form of participation and free statement on behalf of the citizens. Municipal assemblies can, on their own initiative or at the request of citizens, launch the referendum on the questions within their scope of work, in a legal manner and as stipulated by the statute. The decision is adopted if more than half of the total number of citizens vote in favor. It is interesting that nowhere is it precisely stated that the decision passed through a referendum is obligatory and equal to one passed by the assembly, even though in practice it goes without saying. It is similar with the constitutional regulation on the use of referendum when it is launched by the National Assembly. Article 107 of the Constitution states that “on the request of the majority of all parliament members or at least 100,000 voters, the National Assembly launches a referendum about the issue under its auspices, in accordance with the Constitution and the Law. The subject of the referendum cannot be obligations stipulated by international agreements, laws related to human and minority rights and freedom, tax and financial laws, budget and final accounts, entering the state of emergency and amnesties, and issues that regulate electoral competency of the National Assembly.”

Several institutions have been introduced to our system that specifically deal with overseeing that the work of government bodies, public organizations, and public servants is public, transparent, and just, and give special attention to the fight against corruption. The Constitution (Article 138) and further legislation introduced the **ombudsman** as protector of the people, as well as introducing a fiduciary (trustee) for access to information of public interest and a government commission to combat corruption; Transparency International is also present in our system. These institutions gather experts and people of integrity that invest large amounts of effort to shed more light on pathologies within

the system, but their effects have so far been feeble, because there is no adequate support from government organs or political parties.¹¹ Executive and legislative government finds numerous benefits in the existing system of corrupt behavior that they do not wish to give up. The position of the judicial system is indicative : it is still dependent on the dominant executive and such dependency ensures that breaches of the law are not processed or that opened cases are not being closed. The lack of independence of the judiciary system is present in all of its important elements:

1. In the election of staff—High Committee for Justice is under the strong influence of executive power and their membership is taken by the minister of justice, appointed experts, and a number of other politicians,
2. Financial autonomy—the new Constitution has not introduced a judicial budget,
3. Public prosecution and chief prosecutors are treated as executive organs of government elected by the Ministry of Justice and are directly responsible to them. As such, no cases that do not favor executive power will be prosecuted.

All these indicators are guarantees of further strengthening of corruption and behavior that put the citizens further from the model of open communities and the rule of law.

1.7 National Level Best Practices—Putting Local Initiatives into Context

Up until few years ago, besides representatives of the third sector in Serbia, almost none of relevant government institutions or other social stakeholders were discussing or seriously considering the issue of citizen participation in public decision-making processes. However, mainly due to lobbying from the donor community present in Serbia and requests coming from the European Union, there have been some recent promising initiatives addressing issues of citizen participation.

In November 2008, the Ministry of Human and Minority Rights, with support of the United Nations and OSCE in Serbia, organized a round table to present to civil society a state report on the implementation of one of the most important human rights treaties, the International Covenant on Civil and Political Rights. For once, representatives from civil society had the opportunity to review the state report in a timely manner and use it as a starting point for the development of an upcoming shadow report. This round table served as a starting point for the *development of other initiatives that involve citizen participation in important processes*. In 2009, the ministry will organize a special conference on the development of the future reports under UN human rights treaties, involving line ministries and civil society representatives, and with support of the United Nations and OSCE in Serbia.

This step presents a clear signal that the ministry acknowledges the importance of the participation of civil society in the development of the state reports, in addition to their important role in developing shadow reports. This is a huge step forward.¹²

In parallel, in December 2008, the United Nations in Serbia developed and published *Realizing Roma Rights, a report* that offered a comprehensive overview of the situation of the Roma national minority in Serbia. Among other issues, the report states: “Following the principle of non-discrimination, another key principle to be adhered is the participation of Roma in institutions and processes at all levels. Roma have all too often been excluded or underrepresented in decision-making processes.” Under the section on housing, this report states that: “the National Action Plan for Housing addresses the following issues: upgrading of the existing regulatory framework, legalization of settlements, provision of basic services, upgrading of settlements and the existing housing stock, relocation, *empowerment of Roma communities and their active participation, integration and inclusion of Roma neighborhoods*, and the provision of adequate housing to IDPs,” which speaks volumes about the importance of the participation of Roma for the resolution of important Roma-related issues.

One of the recommendations of the report states: “The Government of Serbia should continue to strengthen bodies essential to the full respect of the rights of the Roma population, while ensuring that Roma persons are adequately represented at all levels of governance and have a true voice in these bodies.” Undisputedly, the report builds on the assertion that participation of Roma in defining the solutions for their problems is to be encouraged. Participation is one of the key human rights principles and as such should not be avoided.

At the same time the *UNDP Human Development Report Serbia 2008* indicates that all of the South Eastern European countries currently face major challenges in improving human resources quality and social inclusion. This includes enhancing the adaptability, mobility, and competitiveness of the work force. It requires increased access to education and training, improvement of their quality, and stronger relationships between communities and education systems. Finally, *greater social integration and participation would contribute to raising the level of employability*.¹³

The aim of the e-SEE Initiative is to better integrate South Eastern European countries into the global, knowledge-based economy. The program includes systematic monitoring of progress, exchanges of experiences, and transfer of knowledge. One of the objectives is to promote an adequate institutional framework in line with EU policies, focusing on coordination and assistance in implementing projects for the application of IT in business, government, and education. The concept of an “information society for all” *supports social inclusion, participation, and human development.*

Besides these documents and recommendations made by international donor community, in May 2008, the Government of Serbia adopted the *National Sustainable Development Strategy (NSDS)*, which is a comprehensive framework for addressing the

main areas of the country's economic and social development. The NSDS outlines the following key national priorities: (i) membership with the EU, (ii) development of competitive market economy and balanced economic growth, and (iii) *development of human resources, increased employment, participation, and social inclusion*.

In November 2008, the Regional Conference on Youth Policies and Youth Civic Participation was organized in Sarajevo (Bosnia and Herzegovina). Participants at the conference were representatives of the governmental institutions responsible for youth issues (Ministry/Agency/Commission, etc.), local and national youth organizations, youth branches of political parties, international organizations that implement youth programs, youth councils, student parliaments/councils and media from Bosnia and Herzegovina, Montenegro, Macedonia, Croatia, Slovenia, and Serbia. The Conference's aim was to answer to the questions of *youth participation in decision-making processes and policies in place to empower young people to take active role in a society*. Having such an objective, the Conference tackled the position and status of young people in the EU integration processes, and ways of youth contribution to further democratization of respective countries in the region, through political and civil society pressure.

All these ongoing initiatives in Serbia and the neighboring countries, aim to put citizen participation on the government agenda, create a good environment for development of different models in applying the mechanisms for enhancing citizen participation at the local community level.

Conclusions—to the Point:

- The process of decentralization started from 1950s and “Samoupravljanje” was introduced as the basic model for citizen rule
- 1995—municipalities lost many previous competencies, their property was taken away by the state, and they became financially dependent on state’s subsidies
- 1991/1999—two laws on local self-government passed—very decentralization-unfriendly—undermined openness of local government and discouraged any citizen participation
- Before 2004/2005, only the third sector in Serbia was discussing the issue of citizen participation in public decision-making processes
- Positive initiatives: 2004—ongoing donor community and EU lobbying regarding citizens participation; May 2008—Government of Serbia adopted the National Sustainable Development Strategy (NSDS) of Serbia and one of the three priorities defined in NSDS is the development of human resources, increased employment, participation and social inclusion; November 2008—Ministry of Human and Minority Rights (MHMR) presented a state report on Implementation of International Covenant on Civil and Political Rights to civil society representatives in Serbia; 2009—MHMR will organize a special conference on the development of the reports under UN human rights treaties, involving line ministries and civil society representatives
- Current problems: lack of mechanisms that allow and encourage active citizens’ participation at the local level; lack of clear share of responsibilities between local authorities, civil society organizations, citizens, and business sector at the local level; lack of skills and experiences among all stakeholders at the local level needed for active participation processes.

2. GOALS OF THE POLICY STUDY: CHALLENGING REALITY

Introduction: Goals and Methodology

At this stage in Serbia, increasing citizen participation per se is the overall goal; since there is no consistency in participation at the local level, the increase in its quality can hardly be seen. Below, we describe the goal, objectives, and research methodology used (field research, focus groups, and consultative meetings with relevant stakeholders). The field research covered three main geographic regions in Serbia (north, central, and south) and four target groups, equally important for participation: local authorities, civil society organizations, business sector, and youth. Stakeholders involved in the research: national-level institutions, local governments, and trainers involved in capacity building.

2.1 Goal and Objectives

Based on the findings from the previous section, **the goal** of this policy study is to propose viable policy options that will increase the chances for active and quality participation of citizens and stakeholders at the local level in Serbia.

The policy study objectives are:

- Conduct analysis of involvement of the key stakeholders in participatory processes at the local level;
- Explore to what extent building the social capital in local communities can directly influence the increase in citizen participation;
- Initiate discussion on good and bad practices of citizen participation at local and national levels;
- Propose framework for advocacy campaign aiming to raise knowledge and awareness in the society on the importance of citizen participation at the local level.

To achieve the objectives, the team of fellows conducted field research in three regions, where we were implementing projects in citizen participation. The research has covered three main regions in Serbia (north, central, and south) and three different—in the participatory processes equally important—target groups: local authorities, business sector, and youth. The two main topics used as a baseline for the field research are: (1)

community issues that citizen participation is organized around in selected local communities, and (2) who initiated the dialogue with citizens.

In order to define what the participation process looks like in different environments and among different stakeholders, we selected the following target groups in the field research:

- Local authorities in Indija, Stara Pazova, Ruma, Irig, Šid, Sremski Karlovci, and Pećinci (northern Serbia)

On February 14, 2007, these municipalities signed a Cooperation Agreement related to forming a common region for solid waste management, including the building of a sanitary and regional landfill. The Democratic Transition Initiative (DTI) and the municipality of Indija worked with the Embassy of Finland's Fund for Local Cooperation to share best practices and establish networking in the area of environment protection and solid waste management on the territory of the six municipalities.
- Youth population in Arilje (western/central Serbia)

Although well-developed economically, the western Serbian municipality of Arilje is challenged by the exit of its youth and a traditionally high percentage of psychoactive substance abuse among young people. There is currently an initiative by the youth groups in Arilje to strengthen the municipal services—the “supply” side—through increased participation, in order to decrease the “demand” for unhealthy choices and choosing to leave the area.
- Business sector in Novi Pazar and Prijepolje (southern Serbia)

After DTI conducted a survey among local government representatives, the business community, public enterprises, the SME development agency, and the local tourist office aiming to understand local economic environment in the municipalities, local businesses have requested assistance to order to participate in the creation of a municipal budget in a more business-friendly environment.

Additionally, our research involved *national-level institutions* (such as the Ministries of Youth, Public Administration and Local Self-government, Environment Protection and Spatial Planning, the Poverty Reduction Strategy Paper team of the Government of Serbia, the Standing Conference of Towns and Municipalities (SKGO), the Center for Development of Non-Profit Sector), local governments, and trainers involved in capacity building.

By conducting this research, we observed citizen participation at the local level from three different aspects, as related to who initiated the dialogue. In municipalities in northern Serbia, participation was initiated by the donor community, in the youth project in Arilje by the citizens themselves, and in southern Serbia by local authorities.

2.2 Research Methodology

The team of two fellows relied on four research tools, ensuring both quantitative and qualitative indicators for the study:

- Field research/in depth interviews with selected target groups
- Focus groups
- Citizen Advisory Boards
- Consultative meeting with stakeholders

Field research and in-depth interviews were conducted in 10 local municipalities and with other stakeholders (Standing Conference of Towns and Municipalities and relevant ministries). The field research covered 81 participants, was organized in relation to the three target groups (local authorities, youth, and business sector) and in three regions in Serbia. Below is the breakdown of target groups for interviews.

Target groups for interviews					
	Officials	Youth	Civil society	Business	Total
Indija (north)	1—municipality 1—communal services		2	5	6
Stara Pazova (north)	1—municipality 1—communal services		2	2	6
Ruma (north)	1—municipality 1—communal services		2	2	6
Irig (north)	1—municipality 1—communal services		2	2	6
Sid (north)	1—municipality 1—communal services		2	2	6
Sremski Karlovci (north)	1—municipality 1—communal services		2	2	6
Pecinci (north)	1—municipality 1—communal services		2	4	6
Arilje (central/west)	1—municipality 1—Youth Office/Youth Center	5		5	9
Novi Pazar (south)	3—municipality 1—Local Economic Development office		2	5	11

	Officials	Youth	Civil society	Business	Total
Prijepolje (south)	3—municipality 1—Local Economic Development office		2	5	11
National-level NGOs					4
Relevant ministries					4
Total	24	5	18	34	81

A research questionnaire (Appendix 1) was created with the aim to cover groups of questions directly related to the first three policy study objectives.

Correlating the extent to which social capital is important in influencing and increasing citizen participation, the first group of questions focused on capacity building training conducted in local communities and on needs assessment—for example, training that would help local communities to improve their active participation in the near future.

In order to analyze involvement of the key stakeholders in participatory processes at the local level, the second and third groups of questions focus on different levels and means of participation and on participants at the local level—who initiated participation, what were the most common topics, which decisions are made without ever practicing participation, and which mechanisms were used in the process of participation.

The fourth group of questions focuses on budget issues like: should participation in one of the bodies/mechanisms for decision-making be paid for, who should be paying for participation, and what kind of costs should be covered.

In reviewing good and bad practices, *the last group of questions* focuses on participation at the national level. By asking interviewees whether they participated in the decision-making process at the national level in the areas relevant for the work of their organization, we wanted to clarify any patterns of behavior at the national level (lack of local level involvement in decision-making at the national level), that the local level is applying on local stakeholders.

While the interviews covered the topic of citizen participation across various sectors and key stakeholders, focus groups provided an in-depth identification of the problems that were “located” through the interviews. Here, we explored the current state of affairs with regards to participation at the local level, and based on the results, two focus groups were organized to elucidate the critical issues mentioned in the interviews.

Target groups for focus groups	
Focus Group 1—Indija	Focus Group 2—Arlje
Civil society organization and business	28 participants: Interviewees + local organizations and media + advisory boards + NGOs (cross-sectoral cooperation)
Youth	22 participants: Interviewees + high school professors + advisory boards + youth office

The Citizen Advisory Boards served as a mid-term vehicle to discuss and test recommendations and to define the three case studies (also presented in this policy study).

The consultations/meetings that aimed to test the proposed policy recommendations were done with the representatives of Center for Development of Non-Profit Sector, the Standing Conference of Town and Municipalities (Serbian association of local governments) and the Democratic Transition Initiative (DTI)—three national-level organizations, together with representatives of the main donors active in the field of citizen participation in Serbia.

3. RESULTS OF THE RESEARCH AND PROBLEM DEFINITION

Introduction: Research, Analysis, and Definition

Two focus groups were held with the interview respondents and local stakeholders to collect some of the qualitative data from our study: one to explore the general participation issues that surfaced during the field research, and the second to explore youth participation. We discuss the capacity building (training aspect) of citizen participation vis-à-vis the application of the knowledge gained in training and quality assurance; groups of obstacles to participation; whether the participation should be paid for; and levels of accountability. In addition, three case studies (again depicting the situation in the same regions related to participation) were presented to analyze why participation worked well in the given local context and what could be replicated to other communities. We demonstrate that there are noticeable participation patterns (regardless of participation topic—environment protection, youth issues, or business development) that can represent new policy options for participation at the local level. Those patterns were discussed with representatives of local communities in which we conducted the field research, but also with other stakeholders involved in development of this policy paper.

3.1 Analysis of the Field Interviews

The interviews served to identify the range of issues related to citizen participation, followed by testing in the two focus groups. We kept a research diary, marking our observations, informal comments, and interaction with interviewees and participants in the research. The diary also contains a full list of meetings, with times and dates. The summary report is presented below.

3.1.1 Capacity Building through Training Activities

This section of the questionnaire helped explore the question of quality assurance: quite a few highly visible efforts were implemented to train local communities in citizen participation techniques, but the quality of training was never assessed.

Here, we also learned about the topics of future training that would help local communities to improve active participation in the near future, with regards to close connection between participation and building of the social capital in local communities.

Surprisingly, most often it was the local government that organized seminars and training events, with donor organizations following in second place.

In many instances, lecturers were consultants engaged by the donors or experts from Belgrade,¹⁵ which indicates that the training substance was general and not adjusted to the local community specifics (a lot of “cut-and-paste”).

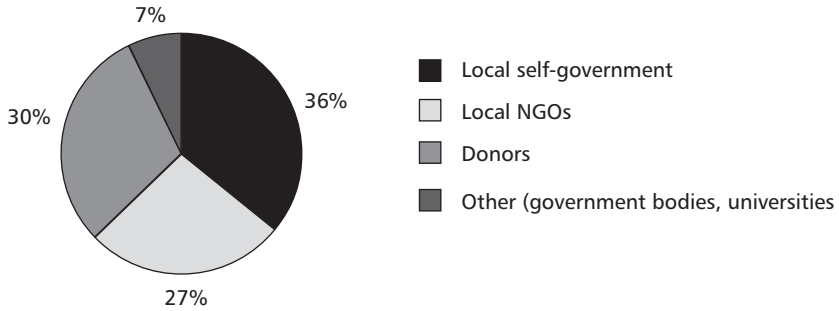
The duration of seminars/training events indicates that the topic was considered in a sufficient level of details, since over two-thirds of interviewees stated that the length of these events was two days or more.

Seminars were mostly attended by administrative staff and few decision-makers (mostly the same people) which points at two things: inadequate share of knowledge and skills gained at capacity building events and low ranking of participation issues on decision-makers' priority lists.

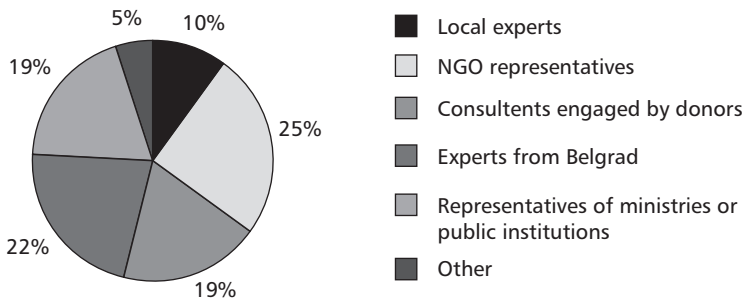
Application of knowledge: the interviews showed that the seminar organizers did expect the attendees to apply the accepted knowledge during the seminars but they did not follow up or monitor the application of knowledge gained after the end of the seminar or a specific citizen participation project thereafter.

This indicates a lack of responsibility on behalf of the donors that were investing large amounts of funds into capacity building, but with weak monitoring systems. The respondents named the following donor organizations to have organized the majority of seminars: American organizations, UN organizations, local NGOs, and local government.

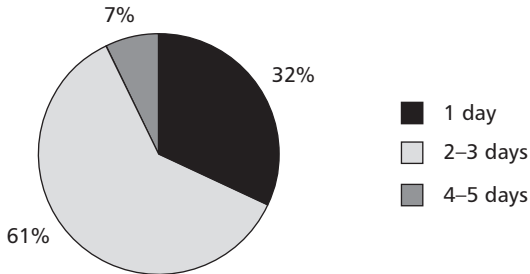
Q 3: Who organized seminars/trainings?



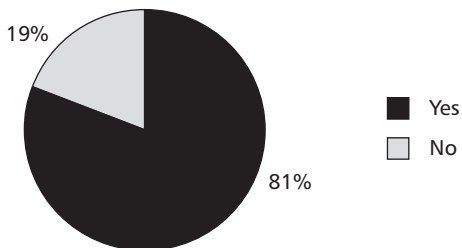
Q 4: Who was most often lecturing at the seminars/trainings?



Q 5: What was the length of seminars/trainings, on average?



Q 8: Did your organization expect you to apply the new knowledge gained at the seminar/training?



Social Capital

We analyzed the potential of social capital here, with an assumption that social capital is underlying all citizen participation initiatives; in an environment where the resources are smaller, social capital is a growing component—not susceptible to depletion,. However, the fact that interviewees identified several major obstacles for applying the knowledge in practice (presented below)—and therefore against successfully organizing participation—indicated that the proposed policy option needs to consider tools that would increase the sense of trust and reciprocity in the local communities. Obstacles mostly encountered on applying the knowledge in practice, as stated by the interviewees:

1. Unstable political situation, mistrust, i.e., missing support
2. A problem within the institutions
3. Bad interpersonal relationship (not enough professional people)
4. Financial means
5. Young people who are not integrated into their communities

The responses are a strong indicator that the level of trust in the institutions is questionable, which creates plenty of instability in any participation initiative, where one side of the initiative should be relying on social capital in the community and the other on high-performing democratic institutions. We further analyzed this observance through the case studies.

Youth

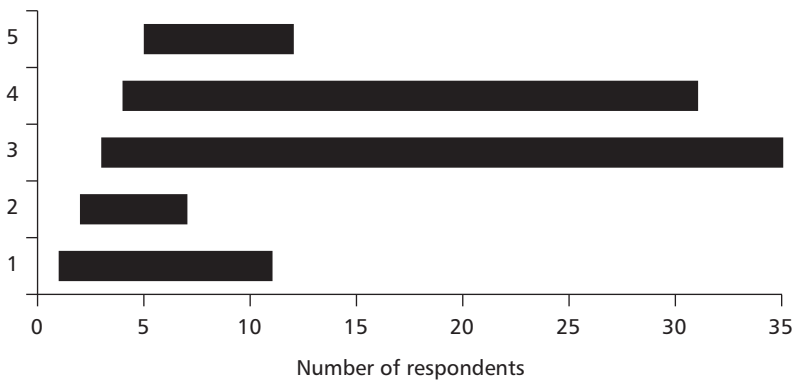
When it comes to capacity building and youth, the interviews showed that young people in principle were not invited to participate in training/seminars with other citizens. They were, however, in a position to share their knowledge with their peers and their teachers encouraged them to do so. The topics that they indicated as important for their future education are: economic development of the local community, how to find a job, development of the local government, benefits from entering the EU, career development, and communication skills. A very important underlying lesson here is that youth have a strongly developed awareness of the importance of their taking part in the processes in local communities.

Business

The majority of the respondents on behalf of businesses stated that, when organizing seminars, they never invite other representatives of their respective local communities (NGOs or local government); later on, it became apparent that business representatives

were actually invited to work in the bodies in charge of local development. This suggests that businesses see the local community communications as a one-way street and that they actually lack the awareness about the much needed cooperation between sectors: that all stakeholders need to be included in the community development—if for nothing else—for other stakeholders to better understand the problems and obstacles the businesses encounter in the local communities. Business representatives insisted in the interviews that they have the needed knowledge that can be used for development of their local community.

Q 9: Were you in a position and to what degree to apply the gained knowledge in practice (1 represents—I was not in a position to apply anything in practice and 5—I applied everything in practice)?



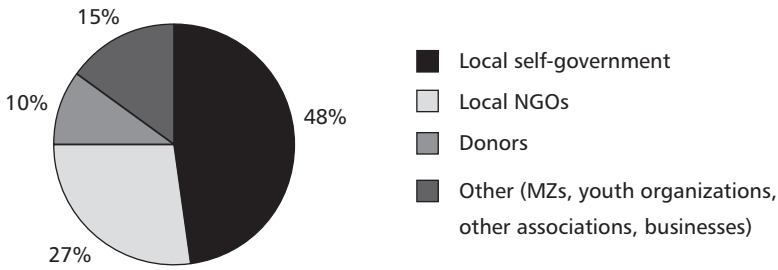
3.1.2 Different Levels and Means of Participation

Who initiated participation? What were the most common topics that participation was initiated around? Which decisions/topics are made without ever practicing participation, which mechanisms were used in the process of participation, what mechanisms were used for participation? These questions were asked about the involvement of key stakeholders in the participatory processes at the local level.

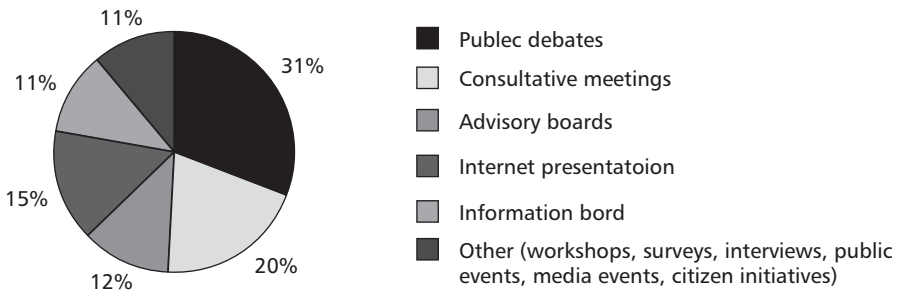
The interviewees revealed that participation practices were establishing in the local communities starting in 2004. Participation is mostly initiated by representatives of local government, then NGOs; this was further discussed in focus groups, since the conclusion was that representatives of local government were always the initiators of consultations (this might be the case, due to composition of the target groups for interviews).

The key topics that served as a platform for initiating participation were: better use of available resources, environmental protection, and urban development plans. By contrast the decisions that are being made without inviting for participation are, according to the respondents, allocation of the public funds—budget development, use of budgetary funds, urban planning, and development of plans.

Q 15: Who initiated participation?



Q 19: Which mechanisms were used in the process of participation?



Youth

When it comes to participation, youth responses indicate that the young people are not taking part in the decision-making processes, nor are they consulted on any of the important issues in their communities, including the ones concerning this particular community group. From the responses, it is also evident that the schools do not initiate youth participation in the community decision-making processes. Apart from Students parliaments, youth are unfamiliar with participation mechanisms.

Business

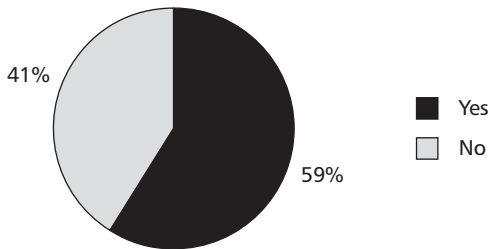
According to the answers of the interviewees, businesses were included in the decision-making processes in connection to the economic development of their municipality/region. As the results show, half of the interviewed business representatives did participate in the work of one or another official body on the level of local community—such as local economic development commissions or municipal assembly boards. Without exception, businesses wish to participate in the work of such bodies in the future.

3.1.3 Budget—Is the participation costly or should participation be paid for?

The third group of questions focuses on budget issues, such as: should participation in one of the bodies/mechanisms for decision-making be remunerated and what kind of costs should be covered?

A majority of respondents stated that participation should be financially supported, calling for the following costs to be covered: the costs of education, transportation costs, costs of organizing meetings and public events, and printing of promotional materials. Often, respondents replied that the participation should be stimulated by money, such as participation in the work of a commission or a body. The answers in this section became the grounds for another focus group discussion: should there be a reward for responsibility or some kind of incentive for simple participation in community processes. The respondents believe that the participation should be paid from the local budget, or alternately from the state budget.

Q 24: In your opinion, is participation costly?



3.1.4 Participants and ways of participating

The last group of questions focused on participation at the national level and good and bad practices therein. By drawing a parallel between participation of local institutions and organizations in the decision-making process by their national-level counterparts, we wanted to clarify whether there is a pattern in behavior: if the national-level organizations are not involving their local counterparts/stakeholders in the decision-making process—or is this behavior simply transferred by the local institutions and organizations towards their own local stakeholders?

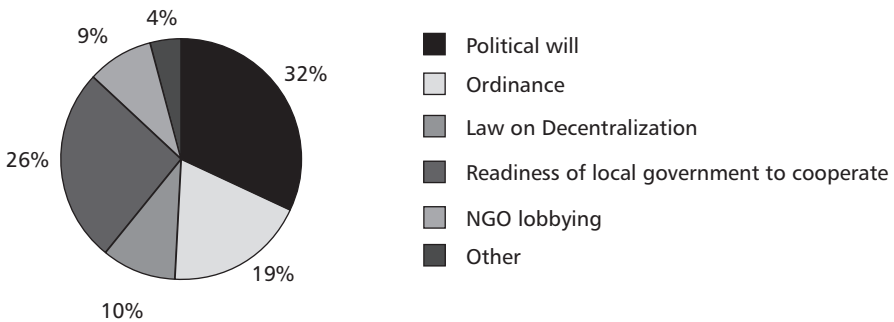
Participants and key partners in the processes of citizen participation at the local level were: NGOs, donors, entrepreneurs/businesses, local community representatives, citizens, and citizen groups. Most often, the forms of participation were community meetings, public hearings, or questionnaires.

In defining the preconditions for active participation, the majority of respondents see the local government and its officials (77 percent of total—political will, ordinance,

and readiness of local government to cooperate) as the key factor. Still, there was no clear suggestion as to what would be the most efficient or effective way of participation and why. This indicates a lack of skills, experience, and knowledge for active participation. Several respondents suggested that participation through expert bodies and bodies that would put together initiatives and suggestions from public hearings; these bodies would need to have a balanced gender, ethnic, and religious representation of the community.

Most of the people questioned whether introducing regions will or will not influence the dialogue at the local level (at least not at the beginning, until the regionalization model starts functioning). Nevertheless, there are those who think that formal decentralization will influence the improvement of dialogue and that it will stimulate the coordination on the questions of regional importance. But regionalization is believed to mostly positively influence the local government and larger cities and regional centers, and negatively influence those who are unprepared for changes in the poor regions.

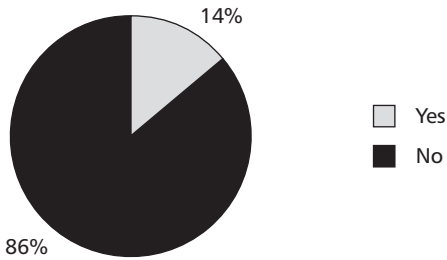
Q 31: In your opinion, what are the preconditions for an active participation of relevant social stakeholders?



When asked what should local government ordinance contain, the respondents suggested the following:

- Obligatory citizen participation in questions of public importance
- Minimum quorum of citizens that should participate
- Mechanisms and models of participation
- Ways of monitoring and assessing performances
- National minorities taking part in percentages—decision-making evenly distributed
- Work compensation

Q 33: Do you participate in the decision making at the republic level in the areas relevant for the work of your organization?



3.2 Focus Group Results

Out of the interviews, we built the **two focus groups** around several striking impressions: if local governments were the ones to initiate citizen participation in most cases and local governments demonstrated a tendency to repeat participation on a certain issue, how come local governments are also not offering enough opportunities for participation? What is the role of citizens in this context? We also conducted a deeper investigation into the issue of training and follow up; groups of obstacles to participation; whether the participation should be paid; and interpersonal relations in institutions.

Second, youth stated that they were often invited to participate and that teachers were very supportive to see them share the knowledge gained in participation training with their peers, but were not supportive to apply this knowledge in practice. Where is the main obstacle to ensuring youth participation? Are teachers/schools supposed to be encouraging youth to participate or somebody else? What are the most acceptable models for youth participation?

A customized topic guide for each focus group is attached as Annex 2. A summary report from each focus group session follows below.

3.2.1 The First Focus Group in the Municipality of Indija

The first focus group was called to discuss the issues coming out of the interviews. There were 28 participants from Indija and surrounding municipalities (interviewees + local organizations and media + advisory boards + NGOs). The participants are active in their communities and the majority who participated in the interviews wanted to follow up in the focus group discussion.

Capacity building through training activities. What are the obstacles to apply the knowledge gained in training and to participate? If there is only passive knowledge, why is it never applied? Because applying this knowledge would mean participating. Training would provide insight into various tools of participation but none of these were never used or adopted to fit the local community needs. The answers of the participants to these questions lead to the conclusion that there is a three-sided responsibility related to capacity building:

- Donors provide training but do not follow up, demand sustainability, or ask for a concrete impact to be made with the resources invested in training.
- Training participants were passive, “professional training recipients” attending numerous training sessions on behalf of their organizations.
- Decision-makers within organizations/institutions were regarding these initiatives as extracurricular and not essentially important, compared to others within their scopes of work.

In our proposal, we point out: “*The uninformed individual cannot take responsibility to participate; the informed individual cannot but take responsibility to participate.*”¹⁶ Any future efforts in educating citizens and citizen groups should insist on responsibility towards the knowledge gained and provide for an organized follow up. Additionally, trainings in the early stages were often conducted with the “copy and paste” principle and the engagement of foreign experts, with little or no local input or context.

Different levels and means of participation—who initiated participation? The interviewees stated that opportunities for participation are scarce and that they are not invited by the local governments for consultations or participation. As a contrast to this reply, they also stated that local governments are the ones to repeat invitations to participate a year later. To break this circle, we asked each participant for clarification of these statements.

- Citizens lack concrete knowledge about how to participate and how the local government functions. This fundamental finding is also tightly linked to training. This indicates a great need for local governments to seriously consider citizen education, and if there is still donor assistance available in this area, to have a more focused approach that can involve a wider range of social groups.
- The local governments are not easy to approach for citizens seeking to fulfill their requests. Many citizens do participate in public hearings, but these only flow in one direction, without a concrete means to control the implementation or application of the suggestions from the public.
- **Different levels and means of participation—groups of obstacles to participation.** The interviewees found that the most frequent obstacles to participation

are political instability or an unstable “climate” in the city; mistrust; problems within institutions (lack of structure and organized decision-making process); lack of adequate human resources and poor employee relations in administration; and a lack of financing. In clarifying these obstacles, the focus group participants concluded that the best way to overcome political instability and mistrust was to organize citizen working groups or citizen bodies that would be recognized by the local government as a participation tool for various issues. This would provide for participation continuity and allow citizens to have a say in the decision-making.

- **Budget—Is participation costly or should participation be paid for?** What segments of participation should be paid and why? The initial impulse of the citizen participants was that there should be some sort of a reward for participation, but when discussed further, the attitude changed towards a suggestion that local governments should organize transportation to facilitate participation of citizens in the remote areas, organize education, public events, and the printing of materials.

Participants and ways of participating—interpersonal relations in institutions. What are the problems within institutions and were the answers of the interviewees related to their home institutions, or to institutions that they are trying to influence?

- There is a problem with communication channels within institutions, primarily the local government, as stated by the participants coming from the public sector. These affect to a great extent the effectiveness and efficiency of all segments of local government operations, including participation. With each new election cycle, the composition of human resources within the local government institutions change—leaving a legacy of mistrust between the newcomers and the “veterans.” A possible solution for ensuring a continuous focus on participation under such circumstances would again have to be sought by the establishment of a citizen body (such as Citizen Advisory Body), that can provide citizen expertise and involvement where there is an obvious need.

Conclusion

Local governments must seriously consider citizen education; future efforts in educating citizens and citizen groups should insist on responsibility towards the knowledge gained and provide for an organized follow up; organizing of citizen working groups or citizen bodies that would be recognized by the local government as a tool for participation on various issues.

3.2.2 The Second Focus Group in the Municipality of Arilje

The second focus group was organized in Arilje in order to discuss the outstanding issues from the interviews related to youth participation. The participants (total of 22) in the focus group were interviewees + high school teachers + advisory boards + youth office representatives.

Capacity building through training activities—community consciousness. When asked what kind of training they would like to have, the young interviewees replied: economic development of the community, local government development, how to find a job, career development, communication skills, advantages of entering EU, and environmental protection. This indicates a high level of consciousness of the important processes in every community. Even if these are just “socially desirable” answers, it shows that the young participating in the interviews are aware of socially important topics. We wanted to know more about the level of their consciousness:

- Youth participating in the focus group show a very high level of community consciousness, even though there is a noticeable lack of motivation to participate. Even though they believe that school parliaments are the best mean to ensure youth participation at the high school level, they are not happy with the way the school parliament is functioning (it depends on the good will of one teacher, which is usually the case). Nevertheless, the 2009 Action Plan for Youth Strategy features over 15 high-school students’ projects, applied for with the assistance of/or through the parliament.

Different levels and means of participation—continuity mechanisms of youth participation. Throughout the interviews we noted that youth participate in small numbers and they are not integrated into participation systems—whichever these might be—and the only space they can use to apply the knowledge gained in training is among their peers, in school. For better or for worse, other citizens at least can ensure some continuity in participation, although their actions might be of a weaker intensity.

- The most important aspect is to find a mechanism that will ensure the continuity of youth participation. In Serbia, the continuity of youth participation is represented by a generation that does not fall into the category of youth by age structure. Continuity is needed to avoid manipulation—the more youth themselves deal with their own problems, the less space they leave for others to do so. The best model for establishing youth participation practices is through the school parliaments.

Different levels and means of participation—level of accountability. The level of accountability that youth can take upon themselves in participation is another closely

linked issue. In the focus group, we asked what are the spheres in which the youth should participate and to what level the youth should be held accountable in participation—since they are underage and have no right to vote.

- Young people start taking interest into the community development as they finish the first year of high school. The majority take part in participation processes during the second year and discontinue by the time they are getting ready for graduation and applying for enrollment in universities. This currently leaves a time-frame of approximately two years for youth participation—they are trained and active for a while and then go. Although the school parliaments depend a lot on the good will of teachers and school principal, they believe that they represent the best avenue for youth participation before the age of 18. Through parliaments, they are able to participate in projects and advocate for their priorities. Youth do not see that the level of accountability should be defined, since they wish to be consulted for all the critical processes in one community. In one way or another, they all touch upon this population.
- It is a fact that youth do not often participate in an institutional manner, other than through the school parliaments, and that so-called youth organizations are usually run by a structure that does not fall into the youth category by age any more. The recommended model for continuing youth participation once they leave highschool is Youth Volunteer Centers (in this case) or youth offices.

Different levels and means of participation—groups of obstacles. As discussed above, the main obstacle for continuous youth participation is a lack of youth integration in the community processes; lack of integration in participation processes; and lack of teacher support to apply the knowledge gained in participation trainings. In discussing possible ways to overcome these, high school students were asked to think in terms of the newly established Youth Volunteer Center in their community:

- Youth Volunteer Center could represent a sustainable way of youth organizing—apart from its obvious role in promoting, supporting, and encouraging youth volunteerism, it should act as a host organization for a youth body (similar to a Citizen Advisory Board), in charge of overall support and monitoring of the youth participation in the community.

Conclusion

The best model for establishing youth participation practices is through the school parliaments; youth need to be consulted for all the critical processes in one community; so-called youth organizations are usually run by a structure that does not fall into the youth category by age any more; youth show a very high level of community conscious-

ness, even though there is a noticeable lack of motivation to participate; Youth Volunteer Center represents a sustainable way of youth organizing.

3.3 Case Studies / Citizen Advisory Boards

As the three case studies below demonstrate, there are noticeable participation patterns that can represent new policy options for participation at the local level in the three regions covered in the field research—regardless of the participation topic (environment protection, business development, youth issues) or the various initiators of participation (donor, local government, or citizens)..

Then we asked how much would the proposed model depend on the topic of participation, geographical area of the country, and on the initiator (donor, citizens, municipality)? We then added a medium-term mechanism to our advocacy campaign for citizen participation, **Citizen Advisory Boards (CABs)**. CABs have only rarely been formed under several donor/NGO initiatives in Serbia. In all cases, they proved to be an excellent vehicle for supporting and nurturing social capital in the community. In our case study examples, CABs monitor, follow up, and support the three specific citizen participation initiatives covered in this research. The goal of applying this tool is to both ensure and test the sustainability of the options for citizen participation beyond a single initiative.

Social capital depends to a great extent on the willingness of individuals at institutions to support the community processes and to make the citizens feel “wanted.” It is not enough for the local institutions to invite citizens to participate—they need to be educated themselves, then they need to educate the citizens and provide spaces and opportunities for a continued dialogue and participation. The example of this can be best found in Case 3 below: if the citizens feel alienated from the local self-government unit and its administration, if they are distanced from the decision-making processes, it is hard for them to identify with building the community and strengthening social capital. This is how the business community felt in Novi Pazar when trying to come up with positive measures for business environment development to propose to their local administration—and left out of all institutional developments.

3.3.1 Case 1: Donor Initiated—Srem Regional Landfill Coordination

Project Information	Description
City/Region	Srem Region—Municipalities of Indija, Stara Pazova, Pećinci, Ruma, Irig, Sremski Karlovci, and Šid
Name of the Project	Srem Regional Landfill Coordination—Environment Protection at the Local Level
Project Holder (who initiated the project)	DTI—Embassy of Finland in Serbia
Project Stakeholders	Municipality of Indija (as coordinator on behalf of the Srem Regional Landfill Coordination), municipalities of Stara Pazova, Pećinci, Ruma, Irig, Sremski Karlovci, and Šid; public utilities from these municipalities, primarily Solid Waste Utilities; secondary schools—student parliaments; civil society representatives (local NGOs and media);
Duration of the Project	24 months, with probable extension
Project Goal	On February 14, 2007, the seven municipalities have signed a Cooperation Agreement related to forming of a region for solid waste management, including building of a sanitary, regional landfill. Since then, DTI and the municipality of Indija worked with the Embassy of Finland's Fund for Local Cooperation to share best practices between the seven municipalities and establish networking in the area of environment protection and solid waste management. The main goal is to inform and educate the stakeholders on the changes in current practices and to involve citizens in the decision making process in each municipality.
Project Activities and Stakeholder Roles	Training—DTI and municipality of Indija Exchange—DTI and seven municipalities, their public utilities Forming of Citizen Advisory Boards—DTI and municipalities Public meetings—DTI and municipalities
Role of DTI	Training, exchange facilitation, forming of Citizen Advisory Boards and meeting facilitation, assist in organizing public meetings
Obstacles	Different levels of knowledge; interest in the project; practices between the municipalities Different levels of interest by the citizens
Achieved Results	Communities informed and learning about the different aspects of the Srem Regional Landfill establishment
Follow Up	Extension of the project to work with Citizen Advisory Boards on other related topics.

Project Information	Description
Recommendations	<p>Focus of the project was on the “soft” aspect (meaning mobilizing of citizens and training) of this essentially infrastructural project. Municipalities often neglect this extremely important piece of the puzzle, being preoccupied with investment planning and budgeting. This is where the donor assistance and support is significant.</p> <p>Being donor-initiated, more attention was given to education and organizing of citizens, rather than to capacity building of municipal/public utility administrations.</p> <p>Being donor-initiated, NGO and civil society input was valued and expected above the level desired by the municipalities. Municipalities are still trying to stay away from close cooperation with NGOs, with an argument that it complicates the process. Instead, public hearings allow for direct contact with citizens, but do not ensure follow up and implementation of recommendations.</p> <p>Citizen Advisory Boards take time to actually “feel” the responsibility bestowed upon them for the community processes. Especially if established under donor support, they should be nurtured and followed up through the initial period of at least one year.</p>

3.3.2 Case 2: Citizen Initiated—Youth Strategy and a Youth Volunteer Center in Arilje

Project Information	Description
City/Region	Municipality of Arilje
Name of the Project	Producing of the Youth Strategy and Establishment of the Youth Volunteer Center
Project Holder (who initiated the project)	Citizens (parents) participating in the planning process of Sustainable Development Strategy Planning
Project Stakeholders	Municipality of Arilje, DTI, social and educational institutions, civil society organizations (including sports clubs), “Sretenje”—local NGO for volunteer education
Duration of the Project	8 months
Project Goal	Although well developed economically, Western Serbian Municipality of Arilje is challenged by youth out-migration and traditional high percentage of psychoactive substance abuse among young people. There is currently an initiative by the youth groups in Arilje to strengthen the municipal services—the “supply” side—through increased participation, in order to decrease the “demand” for unhealthy choices and out-migration.

Project Information	Description
Project Activities and Stakeholder Roles	<p>Education of the volunteers—"Sretenje" and municipal team members</p> <p>Interviews with youth—young volunteers, supported by DTI</p> <p>Interviews with institutions and organizations—DTI and municipal team members</p> <p>Interview analysis—DTI</p> <p>Drafting the strategy—DTI and municipal team members</p> <p>Public meeting with youth—DTI and municipal team members</p> <p>Public meeting with citizens—DTI and municipal team members</p> <p>Forming of the Youth Volunteer Center—Municipal team members</p> <p>Producing final version of the strategy, based on input from public hearings—DTI</p> <p>Adoption of the Strategy by the Municipal Assembly—Municipality of Arilje</p>
Role of DTI	<p>Conduct and analyze interviews, draft the Strategy, conduct and summarize public meetings, produce the final version based on input from public meetings; as follow up—organize Citizen Advisory Board to continue supporting the Strategy implementation</p>
Obstacles	<p>Youth insufficiently motivated to participate; parents not recognizing their role in the process; schools taking over the process from the students</p>
Achieved Results	<p>Involvement of over 90 different institutions and organizations; a large number of citizens involved in strategy creation through the interviews and public hearings; action plan formulated for current and subsequent years and funds allocated in the municipal budget; Youth Volunteer Center established</p>
Follow Up	<p>Forming of the Citizen Advisory Board to follow up on Strategy implementation and provide recommendations for other youth projects that were started after the Strategy adoption</p>
Recommendations	<p>During the process, it was noted that youth had little or no space previously to participate and express their needs in an organized manner. School is only a short-term medium for youth participation and is often taking the process over from youth themselves.</p> <p>The process was initiated by a group of citizens that participated in a municipal strategic planning process—therefore, the municipality distinguished a political gain among others to support financially and technically this initiative of Youth Strategy adoption. If citizens find a proper way and space to formulate their needs, the municipal leadership is likely to respond positively. This is where Citizen Advisory Board will continue to serve the purpose and help the formulation of future needs of citizens.</p> <p>Young volunteers were conducting the interviews with the peers and helped spread the word on the Strategy throughout the community. This is where youth involvement had an additional value.</p>

3.3.3 Case3: Local Government Initiated—Strengthening the Business Environment in Novi Pazar and Prijepolje

Project Information	Description
City/Region	Sandžak Region—City of Novi Pazar and Municipality of Prijepolje
Name of the Project	Business Environment Strengthening
Project Holder (who initiated the project)	City of Novi Pazar
Project Stakeholders	City of Novi Pazar (as initiator), municipality of Prijepolje (as beneficiary and for comparing results), DTI, USAID-Program for Preparedness and Planning (as co-funder)
Duration of the Project	12 months
Project Goal	Aiming to understand local economic environment in the municipalities Novi Pazar and Prijepolje in the Serbian Sandžak Region (southwestern Serbia), we have conducted a survey through the questionnaire disseminated to the municipalities as well as interviews with the local government's representatives, business community, public enterprises, SME's development agency and tourist organization. Following this, the local businesses have requested the assistance in participating in creation of the municipal budget to be more business environment focused.
Project Activities and Stakeholder Roles	Survey of business community, municipal administration, public enterprises—DTI Education of businesses to participate in budget creation and public hearing process—DTI Education of city/municipal administration in involving businesses in the public hearing process—DTI Organizing Citizen Advisory Board to facilitate and maintain the dialogue between business community and municipal administrations—DTI Organizing consultative meetings with the business community—city/municipality and DTI Organizing public hearings on budget—city/municipality and DTI Drafting the budget to include needs of businesses—City/municipality Presenting the final budget to citizens—city/municipality
Role of DTI	Conduct and analyze survey, conduct education of business community and municipal administrations, organize Citizen Advisory Boards, help organize consultative meetings and public hearings
Obstacles	High political instability of the region; religious and ethnic tension (within the same ethnic group and in between different ethnicities; extreme poverty of the region; lack of any dialogue between municipalities and business communities; municipal elections during the project period

Project Information	Description
Achieved Results	Involvement of over 60 representatives of business community in the two municipalities; city of Novi Pazar increased the budget for business development by 45% in comparison to previous year and introduced a budget line for agriculture development; Municipality of Prijepolje increased the budget for business development by 10 times compared to the previous year; dialogue between the business communities and municipal administrations established
Follow Up	Organizing Citizen Advisory Board to facilitate and maintain the dialogue between business community and city/municipal administrations
Recommendations	The new city leadership in Novi Pazar was determined to demonstrate to citizens their willingness to change things for the better—leave behind religious and ethnic conflicts and open up for business development. Again, once the city recognized the political gain of entering the dialogue with businesses, they were seeking best solutions to organize this process. The businesses felt neglected by the City/municipal leadership, but showed no initiative to organize this dialogue themselves. It is desirable to assist in organizing, where the Citizen Advisory Board can again serve as a medium for this dialogue and the desired change in the relationships. There were no direct means prescribed to monitor the implementation of the budget put aside for business development—city/municipality did not offer and business did not ask for.

3.4 Consultations with Stakeholders

Consultations with stakeholders were held to discuss the recommended model of participation. We met individually with representatives of Center for Development of Non-Profit Sector, the Standing Conference of Town and Municipalities, and the Democratic Transition Initiative—three national-level organizations—and several donor organizations still active in the field of citizen participation (USAID, Council of Europe, and GTZ). The consultations were conducted over a period of one month to test the proposed policy options.

Conclusion—to the point:

- Donors were organizing capacity building trainings without adjusting to the local needs and problems.
- Training initiatives were conducted by trainers who were not familiar with the situation at the local level.
- Donors did not monitor implementation or provided any follow up to trainings.
- Decisions made by local authorities without any kind of participation were: allocation of money, budget development, use of budget means, and development of urban planning.
- Young people were mostly not consulted and involved in activities at the local level. They are unfamiliar with different mechanisms of participation (except student parliament).
- Missing awareness among all stakeholders on the role of the business sector in participatory processes.
- Citizens' costs to participate should be financially supported.
- No formal and just a few non-formal mechanisms in place aiming to support citizens participation.
- Interviewees did not give a clear suggestion on the most efficient way/mechanism of participation.
- Most of interviewees are interested in participation but think they lack skills, experience, and knowledge for active participation.
- Local authorities still do not take part in the decision-making on the national level—this probably influences that the same model is applied on the level of their local community.
- CABs monitor, follow up, ensure, and test the sustainability options of citizen participation, beyond a single initiative;
- Regardless of the participation topic or the various initiators of participation—there are noticeable patterns that can represent new policy options for participation at the local level.

4. ANALYSIS OF POLICY OPTIONS

Introduction: why these options?

Here, we look to propose some viable policy options to increasing the chances for participation at the sub-national level in Serbia as well as the quality of participation. We envisage two options: keeping the status quo or introducing a more proactive model. As observed through the field and secondary research, leaving things as is would allow for organized citizen participation, but would not improve the quality of participation. Our proposed policy option supports initiatives that are leading towards the institutionalization of participation and its more sustainable results. At the subnational level, the model is a combination of citizen groups and public hearings, defined through the Model Ordinance¹⁷ (working groups, expert bodies, coordinated by Citizen Advisory Boards as a long-term participation vehicle). Our policy option envisages that participation should be stipulated by the local government administration and should distinguish between youth participation and general participation.

4.1 Status Quo

The baseline study and the field research indicated that there have been numerous individual attempts at organized citizen participation that proved to be more or less successful. When there was enough motivation and incentive to participate, all stakeholders were easily organized and recognized their roles. With the current national and subnational legislation, citizen participation is demanded, but is very lightly defined and leaves a lot to the actual citizen initiatives, rather than to local government educating and inviting citizens to participate.

As elaborated earlier, the Constitution of Serbia and the Law on Local Self-government set out the basic principles of participation at the subnational level and suggest that sovereignty comes from the citizens, who are free to express their needs through referendums and public initiatives, petitions, and suggestions. Serbia's citizens have the right to participate and to be part of public management, or participate in any initiative of public interests; citizens have the right to take part in public services and to take public functions under equal conditions (Article 53).

1. Civic initiatives

Through civic initiatives, citizens suggest to the municipal/city assembly the adoption of local legislation that will regulate certain issues within the original municipal/city competencies, change of statute, or other acts, or launch of referendum, in accordance with the law and the statute. The assembly is in charge of holding a discussion on the proposal and responding to citizens within 60 days from receiving the proposal. A local statute of the local self-government units determines the necessary number of citizen signatures.

2. Citizen meetings, including public meetings and hearings

Citizens can discuss and give proposals on issues from the competency of the municipal organs. Municipal bodies review the proposal within 60 days and act upon—adopt—a certain decision or measure and inform the citizens about it.

3. Municipal referendum

Municipal assemblies can on their own initiative or on the request of citizens launch the referendum on the questions within their scope of work. The decision is adopted if more than half of the total number of citizens voted in favor.

Leaving things at this level would allow for an organized citizen participation, but would not improve the quality of participation; the research done for this policy study lead us to conclude that local self-government need to increase the chances for participation at the subnational level in Serbia, but also the quality of participation, which makes this status quo option less desirable.

4.2 Model Policy Option

The recommended model of citizen participation at subnational level is a combination of citizen groups (working groups, expert bodies, coordinated by Citizen Advisory Boards as a long term participation vehicle) and public hearings, defined through the Model Ordinance (attached as Annex 3).

Participation should be stipulated by the local government administration and should distinguish between youth participation and general participation. The CLEAR tool (an applied version of the “Resources, Relationships, and Rules” framework) argues that:

- participation is most effective where citizens: Can do—that is, have the resources and knowledge to participate; like to—that is, have a sense of attachment that reinforces participation; enabled to—that is, are provided with the opportunity

for participation; asked to—that is, are mobilized through public or voluntary groups; responded to—that is, see evidence that their views have been considered.¹⁸

This is achievable through the following:

1. **Forming a Citizen Advisory Board (CAB)**

Experiences gained in implementation of the projects described in the case studies clearly demonstrate that CABs do make a difference in organizing participation at the local level. The results of the field research also leave space for an organized citizen group to fill in the empty space between participation opportunities created through citizen initiatives and initiatives by local self governments. CABs should consist of 9 to 13 members—representatives of the local communities and one or two local government representatives, to ensure direct links with the local government institutions. The membership should initially be proposed by recognized organizations in the community, local government, and neighborhoods, with re-elections run every year. Each election will also define a CAB coordinator and his or her deputy. CAB should be in charge of devising appropriate expertise coming from citizens on different issues of importance: if there is an infrastructural project of interest to the whole community, CAB should identify independent/citizen experts that can facilitate citizen participation, or explain to other citizens what would be the positive and negative effects of such a project for them. This kind of expertise can be organized through a short-term working groups/expert bodies at the level of producing a plan or formulating of an initiative; it will provide for citizen participation and input from the very beginning of the process. In addition, it will allow for the participants to be recognized for the responsibility taken and will greatly contribute to building of the social capital (what is conceived in the community stays within the community).

2. **Forming a Youth Task Force (YTF)**

Similar to CAB, YTF should consist of 9 to 13 members—representatives of the youth population. The candidates should be sought among high school and university students to ensure the proper age representation. One or two members can come from recognized youth organizations in the community, regardless of their age and one to two from the local government structures—again—to ensure direct links with the system. The intention of devising such a group is to overcome the greatest obstacles noted in our field research—lack of continuity in youth participation, lack of training follow up (application of knowledge), and the strong influence of “youth organizations” run by the adult population.

YTF should ideally be organized through Youth (Volunteer) Centers where they exist, or through Local Government Youth Offices (there is a great effort by the Ministry of Youth and Sports to establish functional Youth Offices in each municipality in Serbia). CAB coordinators and their deputies should be in constant contact with YTF coordinators and their deputies on organizing participation around important community issues.

3. Public hearings

Public hearings by themselves do not provide for a single most powerful participation tool, but in combination with the Citizen Advisory Board and Youth Task Force, they ensure feedback, and medium- and long-term follow up. As the experiences clearly show, public hearings are “the easiest way out” for local governments that wish to involve citizens in the decision-making process; but what happens when the resources become challenged and when the local government does budget revisions during the year? What kind of a warranty do citizens have that the priorities they listed during the public hearing process and that local governments generously included in the budget will actually be implemented during the budgeted year? The sustainable way to ensure results of wider citizen participation through the public hearing process is to have a permanent body—CAB and YTF—serving to increase the sensibility of the general population to participate, since the participation is actually facilitated by their neighbors (the citizens themselves).

4. Adopting an Ordinance on Citizen Participation

Model ordinance is attached in Annex 3.

Conclusion—to the point:

- Leaving things at the status quo would allow for organized citizen participation, but would not improve the quality of participation.
- The best policy option is a combination of adult and youth citizen groups and public hearings, defined through the Model Ordinance.

5. CONCLUSIONS AND RECOMMENDATIONS

5.1 Conclusions

- Capacity building in the citizen participation arena has never undergone a quality assurance check in Serbia: there were numerous initiatives to train local community representatives, but as the field research indicated—results are scarce—neither has the number of citizen initiatives significantly increased following trainings/seminars, nor has the quality of participation improved. The proposed policy option will provide “institutional memory” for participation through CABs and YTFs, but also ongoing education for citizens.
- Social Capital: continuity and quality of citizen participation depends to a great extent on social capital in the community. There need be more attention to the factors in support to building of social capital in local communities. It is not enough for the local institutions to invite citizens to participate—they need to be educated themselves, then they need to educate the citizens and provide spaces and opportunities for a continued dialogue and participation: if the citizens feel alienated from the local administration, if they are distanced from the decision making processes, it is hard for them to identify with building the community and strengthening the social capital.
- Cost of participation: there is a lack of responsibility towards participation, both on behalf of citizens and of the local authorities. Our field research has shown that citizens are on the verge of expecting financial compensation for participation; on the other hand, local administrations are passing important decisions that have obvious financial implications for the public funds, without ever consulting citizens. The proposed policy option advocates also for the participation budget (through the model ordinance), which will have at least two impacts: educate citizens on the importance of investing in their communities—if nothing else, then through voluntary work, and slowly open the local self governments towards constant citizen participation in decision-making and local budgeting.

5.2 Recommendations

Step towards institutionalization of participation at the local level

- *Establishment of the Citizen Advisory Board (CAB)*
 - CAB should consist of representatives of the local communities and local government representatives in order to ensure direct links with the local government institutions.

- CAB should be in charge of devising appropriate expertise coming from citizens on different issues of importance.
- This kind of expertise should be organized through a short-term working groups/expert bodies at the level of producing a plan or formulating of an initiative and should be financially supported by local authorities.
- *Establishment of the Youth Task Force (YTF)*
 - YTF should consist of student representatives from high school and university and from recognized youth organizations in the community;
 - YTF should ideally be organized through Youth (Volunteer) Centers where they exist, or through Local Government Youth Offices established in various cities in Serbia;
 - CAB and YTF representatives should be in constant communication on organizing the participation around important community issues.
- *Adopting a Municipal/City Ordinance on Citizen Participation*

Step towards sustainability of results and impact

- *Regular public hearings*
 - Public hearings ensure feedback as well as medium- and long-term monitoring and follow up.

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NOTES

- ¹ Available online: http://www.worldbank.org.kh/pecsa/page_en.php?page=21.
- ² Social capital is wide term that can be defined on variety of ways. However in this paper we use definition made by A. Poters in *Social Capital: its origins and applications in modern sociology* Annual Review of Sociology, 1998, according to which social capital highlights the value of social relations and the role of cooperation and confidence to get collective or economic results.
- ³ Jan Karlzon (2007) *Moments of Truth*. Belgrade: Clio.
- ⁴ Switzerland has a very developed system of direct democracy but in many other countries there are different forms of direct participation of citizens.
- ⁵ English: self-management or self-government.
- ⁶ Self-management interest communities were formed for the following sectors: education, health, social services, communal, sports, science.
- ⁷ A majority of companies at the time were publicly owned.
- ⁸ Those who are better-off helping those who are worse-off.
- ⁹ Law implemented detailed control of work and process of decision making in local governments. Government of Serbia controlled the whole process of work and municipal decision making and has the possibility to render powerless every decision or act of local government if they decide it to be useless (Law from year 1999, frod 203. until 213. Article).
- ¹⁰ Previous Serbian constitutions were adopted during the Principality and Kingdom periods in 1835, 1838, 1869, 1888, 1901, and 1903, and for the Socialist Republic of Serbia in 1947, 1963, and 1974.
- ¹¹ According to the Transparency International, Serbia is ranked at 90, out of 163 countries, with coefficient of 3.0 at the end of 2006.
- ¹² Marija Raus, OHCHR/RCO National Human Rights Programme Officer.
- ¹³ Balkan Institute for Labour and Social Policy 2008, p.39.
- ¹⁴ English: self-management or self-government.
- ¹⁵ Belgrade being the capital city and the administrative center of the country.
- ¹⁶ Karlzon, Jan, *Moments of Truth*, Clio, Belgrade, 2007.
- ¹⁷ The Model Ordinance that forms a part of this policy study is the main advocacy tool; we intend to advocate in the municipalities encompassed by the study, and to others through the Standing Conference of Towns and Municipalities, for adoption in at least one pilot municipality. The Ordinance stipulates the participation mechanisms devised in our recommended policy option.
- ¹⁸ Lowndes, Vivien; Pratchett, Lawrence, *Comparing public participation in Europe: Resources, relationships and rules in five countries*, 2007.



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