

# Living democracy locally

One of the basic rights citizens enjoy in a democracy is to autonomously determine the conditions of their common life in society. Local government is where they can exercise it most directly.

The OSCE participating States agreed in Copenhagen in 1990 to strengthen democratic institutions at all levels. And at the Summit in Helsinki in 1992, they agreed that they would “endeavour, in order to strengthen democratic participation and institution building and in developing co-operation among them, to share their respective experience on the functioning of democracy at a local and regional level.”

Democracy at the local level can only function if officials are elected and have both the legal authority and the financial means to manage the affairs of their town. The notion of “local self-government”, as defined by the Council of Europe’s 1985 European Charter of Local Self-Government expresses this: “Local self-government denotes the right and the ability of local authorities, within the limits of the law, to regulate and manage a substantial share of public affairs under their own responsibility and in the interests of the local population.”

A majority of OSCE participating States have signed the European Charter of Local Self-Government and in the 1992 Helsinki Summit document they explicitly express their support for the Council of Europe’s work in this field.

Many OSCE participating States are making the transition from an authoritarian government system and are in the process of transferring substantial competencies to elected municipal bodies. OSCE field operations support the establishment of local self-government where it does not yet exist and promote its good functioning where it does. In South-Eastern Europe, the OSCE field operations have been working closely with the Council of Europe on the basis of a well-functioning co-operation agreement since 2005.

The task of ensuring vital municipal governance just begins when the legal structures are in place. Maintaining transparency and encouraging civic participation are ongoing challenges for all participating States. This is why they agreed in Helsinki to share their experiences, and it is in this spirit that the six stories on the following pages recount different ways in which OSCE field operations have supported local government in their host countries.

# Forging inter-municipal ties in Bosnia and Herzegovina

by Valerie Hopkins

In mid-May, mayors and municipal officials from Teočak, a town in northeastern Bosnia and Herzegovina, traveled across the country to Posušje, in the southwest, to investigate a matter of vital interest to them: waste disposal mechanisms. For two days, they discussed local development methodologies and ways of collaborating with private utility companies and neighbouring municipalities for efficient and environmentally sound regional garbage collection and disposal. The guests from Teočak, which is much in need of a sewage system and is beginning to plan one, also had the chance to visit Posušje's water management infrastructure. This was conducted as part of a study visit organized by the OSCE Mission to Bosnia and Herzegovina as part of its Local First initiative.

The Mission launched the ambitious Local First programme in March 2009. Based on the premise that strengthening democracy starts at the level closest to the people, it lends municipalities a strong helping hand in providing quality constituent services and ensuring citizens are engaged in the process.

Of Bosnia and Herzegovina's 143 municipalities, all but 19 are participating in the Local First initiative. In close co-operation with the Mission's field staff, each municipality chose from seven possible areas of improvement: municipal assembly and council support, municipal management and accountability, community engagement, inter-municipal learning and support, media and communication, youth access to employment and project management.

Within its selected components, each municipality now works in tandem with the Mission, assessing its needs and developing action plans to meet specific good governance standards.

Inter-municipal learning networks are an important part of the Local First programme. When Teočak chose the municipal management and accountability component and identified strategic development planning and waste management as priorities, pairing it up with Posušje was a logical choice. Posušje had drafted and implemented a strategic waste management plan several years before, which won it accolades in another Mission local government programme, the Beacon Scheme [see p. 24].

Since the visit to Posušje in March, officials from Teočak have started the process of amending municipal legislation on waste removal and establishing a partnership with a waste management company. "Having the chance to see Posušje's infrastructure enabled us to expedite the implementation of our own solutions," says Amir Šabačkić, the municipality's Deputy Mayor.

The visit has also triggered future co-operation: Posušje representatives plan to attend the opening of a water factory in Teočak, while Posušje's mayor will accompany the owner of a local business, Welplast, to explore Teočak and propose the development of a sewage system. This is encouraging, because inter-municipal networks are not just about exchanging technical know-how. Posušje is a Croat-majority municipality that went to a Bosniak-majority town. The co-operation that the two municipalities have established has only begun. It is just one example of the Mission's strategy of using inter-municipal co-operation to address common objectives and build functional relationships across ethnic lines.

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# Building democracy from the ground up in Kosovo\*

by Edis Arifagic



**G**ulcan turned 18 last year and cast her vote for the first time in the Kosovo-wide local elections that were held in November 2009. She is a resident of Mamuša/Mamushë/Mamuša, a recently established municipality with a Kosovo Turk majority in southern Kosovo. To exercise her right to vote, Gulcan produced an old birth certificate issued in Prizren, a 40-kilometre round trip away. With the establishment of Mamuša/Mamushë/Mamuša, however, Gulcan can have key documents, such as birth certificates and ID cards, issued in her own village.

Kosovo's first practical step along the path of local governance reform was taken in 2005, with the establishment of three pilot municipal units, Hani Elezit/Đeneral Janković, Junik, and Mamuša/Mamushë/Mamuša. The three have gradually assumed critical local government competencies transferred from the primary municipalities.

The process was not devoid of political and operational challenges, but all three are now full-fledged municipalities, hailed by the Minister of Local Government Administration, Mr. Sadri Ferati, as "evidence of a successful local government reform process."

The involvement of the OSCE Mission in Kosovo was, in many respects, critical to the municipalities' successful development. While initial assistance focused on ensuring that they had the basic skills and knowledge to fulfil their principal competencies, the Mission gradually assumed the role of mentor and coach, helping to identify and address gaps in their performance.

On 15 November 2009, the residents of the three former pilot municipalities went to the polls in their own voting districts for the very first time. The voter turnout in all three was substantially higher than the Kosovo average.

## **Nurturing a culture of civic involvement**

The OSCE Mission in Kosovo assists with local government reform on many levels. In 2007, it launched the Municipal Leadership Forums, which institutionalized dialogue between central and local governments, first on budget preparation and later on the transfer of social service competencies. Ultimately, the Mission's goal is to include municipal residents in this dialogue. For reform to take root, it must be supported by the public. Introducing public participation into the local political culture is a lengthy and complicated endeavour. With its field teams in every municipality, the Mission is ideally equipped to help. It follows a two-sided approach, supporting civil society groups on the one hand and encouraging local authorities to develop participatory mechanisms on the other.

The process has not always been smooth or error-free. Kosovo has witnessed an unprecedented proliferation of civil society organizations since 1999. The Office for the Registration of Non-Governmental Organizations (NGOs) at

the Ministry of Public Administration places the number of currently active NGOs at over 3,300.

The OSCE Mission in Kosovo works successfully with a number of well-established NGOs — the Association of Kosovo Municipalities is a prime example. But many NGOs are not sustainable in the long run, and their independence from political parties is questionable. Often, they have limited community backing, making them ill at ease with their advocacy role. Furthermore, their proliferation has led to the abandonment of traditional, community-based forms of civic participation.

## **Restoring the old, encouraging the new**

Recently, there are increasing calls to revive some traditional forms of civic engagement. As a grass-root unit of local democracy, a village council can contribute to the strengthening of the democratic institutional system. The Mission is disseminating best practices for successful co-operation between municipalities and village councils where they exist and promoting their establishment through formal elections where they do not.

Consultative committees are a new addition to the repertoire of municipal participatory mechanisms. They provide an opportunity for community members with expertise in a certain area to assist in decision making. The Mission has been conducting workshops through its regional offices over the past two years to encourage their formation, with 700 participants so far. Some municipalities have already created consultative committees. Vushtrri/Vučitrn, for example, has established four in the following areas: education, culture and sports; economic development; environmental protection; and social and welfare issues.

Municipal institutions are increasingly acknowledging that public participation in policy-making is an important source of information and of legitimacy — providing the Mission with an important indicator of the success of its work.

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\*All references to Kosovo institutions/leaders refer to the Provisional Institutions of Self Government.

# Depoliticizing the civil service

*The OSCE Spillover Monitor Mission to Skopje offers human resources training*

by Mirije Sulmati

A municipal civil service can consist of pencil pushers that blindly follow instructions or dynamic and creative professionals working for the benefit of the community. Ensuring good human resources management can go a long way towards eliminating the paralyzing effect of undue political influence among local government officials.

This is the strategy being followed by the OSCE Spillover Monitor Mission to Skopje in a project it launched in April 2010, which has received local acclaim and also the support of the national Civil Service Agency.

Human resources managers from 14 municipalities are receiving training in professional tasks such as preparing detailed job descriptions and preparing training needs assessments and training plans.

"The novelty of this project is that the participants receive individual on-the-job assistance in their home communities from international coaches for two weeks following the general training course," explains Lola Ansedo, Public Administration Officer at the OSCE Spillover Monitor Mission to Skopje. The coaches are Peace Corps Volunteers from the United States of America.

The coaching period helps the OSCE to evaluate the project's immediate impact. It is also an opportunity for municipalities to share their best practices with the coaches.



In Kavadarci, a rural municipality, the Human Resources manager Jasminka Gjorgjieva and the international coach Christine Moore developed a fruitful relationship working together for two weeks. In Jasminka's opinion, the project would be beneficial for higher officials, too. Christine agrees. "The co-operation with Jasminka was excellent," she says, "and I look forward to replicating the project in other neighbouring municipalities".

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# E-governance in Ukraine

by Oksana Polyuga

Rural residents in Dnepropetrovsk region in eastern Ukraine used to embark on a tedious and sometimes lengthy trip to the nearest larger town whenever they needed to do the paperwork to claim municipal services such as energy and water supply subsidies. Thanks to a pilot project the OSCE Project Co-ordinator in Ukraine (PCU) is implementing together with local authorities, they now can save themselves the trip.

Twenty-two e-governance websites like the one pictured here are providing citizens municipal, communal and even some central government services online. With 736,000 registered Internet users in the region and publically accessible facilities in administration buildings and schools, virtually all residents of the region can benefit.

For the governments, the websites reduce the administrative burden. Perhaps most importantly, they increase transparency, thus minimizing the potential for corruption.

As a result of the first phase of the project implemented in 2010, visits by village residents to district offices have been reduced by 30%.

To help local officials get on a friendly footing with the new method of service provision, the PCU trained 668 representatives of local village councils in the basics of e-governance.

A new phase of the project is digitalizing more administrative services, introducing e-signatures and providing further training. The experience gathered will be shared with other regions of Ukraine.

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# Rewarding innovation

## Best practices in Montenegro

by Mia Lausevic

**I admit I was a bit disheartened as I prepared to open the big blue folder with the formidable title “Best Practices Programme for Local Authorities”. Elastic strips struggled to contain the bulging contents, 18 neatly printed applications from ten Montenegrin municipalities — 150 pages in all — that I had been asked to review. I took a deep breath and lifted the first application from the pile, expecting a dry, boring read. I could not have been more wrong!**

**As I read, the grayness of the pages gave way to 18 real-life stories of how people working in local government had come up with ways of improving citizens’ participation, protecting the environment or making their services more efficient. Each of these municipalities was putting in a bid for the annual award for best practices that the Union of Municipalities of Montenegro has been offering since 2008.**

The OSCE Mission to Montenegro provides financial assistance to the award and is a member of the selection panel.

Herceg Novi’s tale was one of perseverance. Four years ago, the town’s public utility proposed constructing a facility to dispose of municipal waste in an environmentally friendly way. Finally, last year, the recycling yard equipped with a transfer station, the first of its kind in Montenegro, became a reality.

In Danilograd, ingenuity led the municipal advisor and inspector, Zdravko Bogetic, to develop a unified computer database and tax

accounting system, which has brought a three-fold rise in municipal revenues and made business procedures like issuing work permits quick and easy.

But it was Tivat’s story that really caught my imagination. The amendment of a mere detail in the town’s parliamentary rules of procedures had actually triggered a new, vibrant culture of NGO participation in municipal decision-making.

Each of these three towns won a prize in the 2009 competition, but actually, all applicants were winners for having each made the lives of their citizens better. And, as the Secretary of the Union of Municipalities, Rajko Golubovic, emphasizes, the benefits of the award can be felt throughout the country as local governments, in a competitive spirit, adopt each other’s good practices.

*“In my opinion, innovative and good practices in service delivery by local government should always be encouraged and supported, as their result is a capable and responsible local government and better quality of life for all.”*  
— *Ambassador Paraschiva Badescu, Head of the OSCE Mission to Montenegro 2006-2010*

## More municipal awards supported by OSCE field operations

### **The Beacon Scheme in Bosnia and Herzegovina**

Modeled on a similar programme in the United Kingdom, the Bosnia and Herzegovina Beacon Scheme annually recognizes nine municipalities for excellence in local government. It was started in 2005 by the OSCE Mission to Bosnia and Herzegovina and transferred to authorities in the Bosnia and Herzegovina government in 2009. Towns that are awarded Beacon status are charged with sharing their knowledge with other municipalities. Being recognized as a Beacon also helps them receive more funds from the federal government.

### **Rewarding excellence in Kosovo**

Local governments across Kosovo will compete next year for the Municipal Excellence Award the OSCE Mission in Kosovo is instituting. The municipalities that display the highest commitment to transparency and accountability in the conduct of municipal affairs will win project grants. Special recognition will be given to municipalities’ efforts to encourage public participation in financial and urban spatial planning processes.



## Profile of a winner

### *Tivat's municipal parliament fills its empty chair*

As it stood back in 2007, the project *Empty Chair for NGOs* in the Montenegrin port town of Tivat was already a good thing. At the sittings of the local parliament, one seat was reserved for the representative of an NGO. This meant that the party-line views of the municipal councilors were complemented by a voice advocating the interests of citizens regardless of political affiliation.

It was an example of how at little expense other than a healthy portion of good will, municipalities could improve public participation in their local government. "It basically meant earmarking some additional money for printing extra copies of the document for the sitting," says Jovanka Lalicic, Advisor to the Mayor of Tivat.

Tivat began implementing the empty chair project in 2007, following the lead of the municipalities of Podgorica and Bar.

But as time went on, it became apparent that things were not going as planned. Tivat NGOs were not making much use of their opportunity. This is where the municipality of Tivat took one extra step to make a good thing better.

Together with the Centre for Development of NGOs (CRNVO), which had initiated the project, and the Union of Municipalities, it looked into the matter and found that the way NGOs were selected to participate in parliamentary sittings was not quite clear. There was a selection process, but the results were announced by the president of the local parliament just days before the meeting. Furthermore, only one NGO could attend a given sitting. CRNVO recommended allowing NGOs to choose among themselves who should attend. It also suggested expanding their participation to one NGO per agenda item.

Tivat lent an open ear to CRNVO's advice and reacted promptly. In October 2008, the councilors unanimously adopted amendments to the selection rules.

What may look like small procedural changes have made a big qualitative difference. NGOs are now empowered to contribute substantially to agenda items that fit their expertise. And going that extra mile won Tivat first prize in the Union of Municipalities' best practices programme for local municipalities, supported by the OSCE Mission to Montenegro.

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## Q&A

*Marijana Misic Skanata who works for Tivat's local radio station, Radio Tivat, is President of the NGO European House. Mia Lausevic spoke with her about Empty Chair for NGOs.*

### **Mia Lausevic: How does the Empty Chair project work in practice?**

**Marijana Misic Skanata:** Approximately two weeks prior to a sitting of the local parliament, NGO representatives are invited to a meeting. Together with a representative of the local administration, we discuss the agenda and select among ourselves the representatives to take part at the sitting, depending on the topic, our scope of work, experience and interest. I have to underline that we receive the material for the sitting at the same time as the councilors, so we have the same amount of time to prepare for the discussion.

### **Do you feel the NGOs are respected?**

The situation has improved considerably. It is now up to the NGOs to make the most of the opportunity for making their voices heard. As the number of NGO representatives taking part in the discussion is limited to one per agenda item, the need for close co-operation is very important. If I am the one taking part in the discussion, I am happy to present the opinion of other NGOs and the citizens of Tivat, thus making the most of our presence.

### **Is there still room for improvement?**

The civil sector is getting used to its right to take part in the discussion. But I would not like to see NGOs exercising this right just pro forma, by just sitting there. We need to prepare thoroughly. And if we have nothing substantial to say, I think it is better to stay away, not to waste anyone's time.

### **Is there a way for citizens to follow the parliamentary discussions?**

The sittings themselves are broadcast live by Radio Tivat. The station also airs shows on the work of the local parliament.

### **Can you name an example of how your NGO's participation has been useful?**

Last March, there was a discussion on the local spatial plan for Tivat, a very important strategic document, with regard to a major project to build a marina, golf course, hotels and apartments on the peninsula Lustica. This was in addition to a huge facility for mega yachts already being built. European House voiced concern that two such projects could be too much for a small coastal town like Tivat. The developing company learned of our objections and invited us to a presentation in which he explained the project in detail and addressed our concerns. In my opinion, this was a very positive development.

# Ushering in a new era for the City of Yerevan

by Ruzanna Baghdasaryan and Gohar Avagyan

“More powerful, responsible and independent local self-governance” — this was one of the tasks set before Armenia upon its admission to the Council of Europe in 2001. Back then, the work ahead was truly daunting — there was no tradition or knowledge to draw on for modernizing and decentralizing an inherently centripetal Soviet system. The first step was a thoroughgoing reform of the constitution, which was amended through a national referendum in November 2005. One of the most noteworthy changes was that the capital city of Yerevan was given the status of a community. Previously, this 2791-year-old city, home to some one million Armenians — around a third of the national population — and the centre of the country’s political, business and cultural life, had been considered a province under the jurisdiction of the state government, with an appointed mayor and no independent budget.

It wasn’t until 2009, when the *Law on self-governance in Yerevan* was passed, that one of the most controversial questions was resolved: how Yerevan’s mayor should be chosen. The political weight of this post can hardly be overestimated. The constitution left the matter relatively open, stipulating that the city’s mayor can be elected either through direct or indirect voting.

The *Law on self-governance in Yerevan* prescribes an innovative system under which residents vote for Yerevan’s city council — the parliament of the city. If one of the parties wins an absolute majority, the number one of its party list automatically becomes mayor. Otherwise, the city council votes separately to select one of several mayoral candidates. The mayor forms the municipality — the city’s executive branch — and appoints heads of 12 administrative districts. The first elections of the Yerevan City Council took place in May 2009, marking the beginning of a new era in the life of the city.

## OSCE involvement

The challenges faced by the two-tiered municipal administration are considerable. It has a budget to maintain and administer, taxes to collect, and it independently regulates many aspects of the city’s life, including social, economic and environmental matters.

The OSCE Office in Yerevan, under its good governance programme, has recently begun offering capacity-building services to the city, drawing on the expertise it has developed while

training Armenian National Assembly expert staff over the past six years.

“Worldwide, big cities face challenges which cannot be solved and financed by the authorities alone,” says Hans Teerlink, an expert from the Rotterdam-based International Institute of Urban Management of Erasmus University, whom the Office commissioned to visit Yerevan from 4 to 11 July 2010 and assess its training needs. “Administering a city the size of Yerevan poses special problems requiring complex solutions. Involvement of the private sector, non-governmental organizations and the community at large require new skills in resource mobilization, participatory strategic planning and action planning, while the public administration has to become more performance oriented, transparent and communicative,” he explains.

Learning from contemporary approaches and best practices in other cities therefore forms an integral part of the three-week training courses the Office is currently offering city officials. Selected participants will participate in exchange visits to efficiently run European municipalities.

## Looking ahead

The system of local self-government in Armenia is still young, and many questions, such as striking the right balance in allocating powers and funding, remain to be resolved. What is undisputable, however, is that further democratic development of the country is impossible without strong and independent self-governing local bodies with clearly defined functions and a well-prepared professional staff. In this matter, the OSCE Office in Yerevan stands ready to continue rendering assistance and support to its Armenian counterparts.

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