

C S C E

Office for Democratic Institutions and Human Rights

**CSCE HUMAN DIMENSION SEMINAR
ON LOCAL DEMOCRACY**

CONSOLIDATED SUMMARY

WARSAW, 16 - 20 MAY 1994

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THE SEMINAR

I. INTRODUCTION

The CSCE Human Dimension Seminar on Local Democracy took place on 16 - 20 May, 1994 in Warsaw. The Seminar was organized by the Office for Democratic Institutions and Human Rights. This seminar was the sixth in a series of specialized meetings organized by the ODIHR in accordance with the decision of the CSCE Follow-up Meeting in Helsinki 1992 and CSCE Council Meeting in Rome 1993. The previous seminars were devoted to: Tolerance (Nov. 1992), Migration, Including Refugees and Displaced Persons (April 1993), Case Studies on National Minorities Issues, Positive Results (May 1993), Free Media (Nov. 1993) and Migrant Workers (March 1994).

The main theme of the sixth seminar was local democracy, including: constitutional aspects of local democracy; civic society and local democracy; implementation of democracy at local and regional level.

The Seminar was not mandated to produce negotiated texts, but summary reports of the Moderators of the three Discussion Groups were presented in the final Plenary Meeting.

II. AGENDA

1. Formal opening of the Seminar.
Opening statement by the Director of the ODIHR.
Keynote Speech by Mr. József Merász, the Mayor of Kecskemet (Hungary).
2. Discussion on local democracy, including: constitutional aspects of local democracy; civic society and local democracy; implementation of democracy at local and regional level.
3. Summaries of the moderators and closure of the Seminar.

TIMETABLE AND OTHER ORGANIZATIONAL MODALITIES

1. The Seminar opened on Monday, 16 May 1994 at 15:00 in Warsaw. It closed on Friday afternoon, 20 May, 1994.
2. All Plenary meetings and Discussion Groups were open.
3. Agenda items 1, 2, and 3 were dealt with in the Plenary. In addition, the closing Plenary, scheduled for Friday morning, focused on practical suggestions for dealing with the issues and problems raised during the Discussion Groups.

4. Agenda item 2 was dealt with in the Plenary, as well as in the three Discussion Groups:

DG1: Constitutional aspects of local democracy

Topics included:

- constitutions, constitutionalism and the rule of law as fundamental guarantees of democratic practices at the local level;
- models of state decentralization and centralization (including the positive and negative consequences of decentralization);
- division of powers and competencies between central and local government;
- civil rights and personal freedoms;

DG2: Civic society and local democracy

Topics included:

- the role of local authorities and communities in promoting cross-cultural understanding, tolerance and a positive approach to the issues of migration and national minorities;
- media and dissemination of information at a local and regional level;

DG3: Implementation of democracy at local and regional level

Topics included:

- the participation of citizens and residents in local government, their involvement in building democratic institutions;
- the role of NGOs (e.g. environmental groups, women's groups) in establishing non-discriminatory, democratic practices at the local level;
- the role of the CSCE and other international institutions (cooperation, technical assistance, regional networks, exchange of information);
- transfrontier cooperation through local authorities and communities;

5. Meetings of the Plenary and Discussion Groups took place according to the attached work programme.
6. An ODIHR representative chaired the Plenary Meetings.
7. The ODIHR invited the Moderators to guide discussion in the Discussion Groups. ODIHR representatives assisted them.
8. Standard CSCE rules of procedure and working methods were applied at the Seminar.

III. PARTICIPATION

The Seminar was attended by a total of **156 participants**. Representatives of **38 CSCE participating States** were present. Among the participants were also delegations from an Observer State, the Former Yugoslav Republic of Macedonia and one Mediterranean non-participating State, Egypt.

In addition, **4 international organizations** were represented: the Council of Europe, European Commission for Democracy through Law and United Nations Development Programme. **Non-governmental organizations** numbered 25.

IV. SUMMARY OF PROCEEDINGS

The Seminar was opened by the Director of the ODIHR, Ambassador Audrey Glover. The keynote address was delivered by Mr. József Merász, the Mayor of Kecskemét (Hungary), the representative to the Standing Conference of Local Authorities of the Council of Europe. Opening contributions were made by 12 national delegations, Council of Europe and NGO Platform.

During the course of the week, three Discussion Groups met. The topics were divided as follows:

Discussion Group 1: Constitutional aspects of local democracy

Moderator: Professor Ulrich Fastenrath, Technical University, Dresden
Rapporteur: Oliver Joachim Fixson
ODIHR: Jack Zetkovic

Discussion Group 2: Civic society and local democracy

Moderator: Violeta dela Pena, Maryland Department of Human Resources
Rapporteur: Jonathan Cohen
ODIHR: Jacek Paliszewski

Discussion Group 3: Implementation of democracy at local and regional level

Moderator: Dr Joanna Regulska, Consultant, Council of Ministers, Warsaw
Rapporteur: Ann Graham
ODIHR: Elizabeth Winship

There were also two meetings taking place of the Director of the ODIHR with the representatives of the recently admitted participating States and another one with NGOs.

The closing plenary meeting was chaired by the Director of the ODIHR. The Moderators presented their reports. Statements were made on behalf of 8 national delegations and one non-governmental organization.

The press conference was organized after closing of the seminar and 16 representatives of press and radio were present.

CURRENT TOPICS OF LOCAL AND REGIONAL AUTHORITIES

**Key-Note Address of Mr. József Merász, Mayor of Kecskemét (Hungary)
the representative to the Standing Conference of Local Authorities
of the Council of Europe
to the
Human Dimension Seminar on Local Democracy
Warsaw, 16 - 20 May, 1994**

1. Background information

Once again, it has been reaffirmed that the continuation of the democratisation process cannot be assured at government level alone, especially when there is a lack of information on current developments among the local authorities of Central and Eastern Europe.

All the representatives of self-governing authorities in Europe have recognised that they have an obligation to give assistance to local and regional authorities in those areas in which democracy, according to the principles laid down by the Council of Europe, is emerging. Since local authorities are closest to the citizen, they have a decisive role to play in changing people's way of thinking and system of values. Without more active co-operation and support for the development and strengthening of local democracy at all levels in Europe, there would continue to be an extremely great risk of Europe being once again split in two.

2. General developments

The importance of the decisions taken by the

Council of Europe in particular that, of the European Charter of Local Self-Government, in which the principles for all levels of public authority are laid down, cannot be stressed often enough, because the Charter indisputably forms the basis of deliberations today when local government legislation is drafted or amended. In practice, however, differences in its implementation - even in important details- also become apparent in the old members states, and these differences render it more difficult for the new democracies to plan for the future.

There is a particular aspect, and one that must not be ignored, to the discussion on the future changes necessary that has been conducted between local authorities and governments since the emergence of the new democracies: at a time when new structures are being created in almost all areas of activity in Europe and, as a result of the principle of subsidiarity, a considerable amount of discussion is also taking place on democratic structures, it is very important for the new democracies to choose the way forward that is in line with expected future developments and spare themselves

unnecessary detours.

How important this can be is shown by the fact that, without the European Charter of Local Self-Government, the development of local authorities in Central and Eastern Europe, and, indeed, of the democracies themselves, would be much more diverse today and the path these countries take to the common European home would be much longer.

Given this responsibility, the Congress of Local and Regional Authorities of Europe should continue its work even more intensively in future.

3. The position of self-governing authorities

After Maastricht it has become clearer than ever before - also to those countries that have enjoyed democracy for some considerable time - that in a united Europe local self-government, based on the principle of subsidiarity, must assume a very strong position in the decision-making process and in administrative structures.

Often enough, international agreements prepared by diplomats and signed by governments have proved impractical and failed to take account of the interests of local authorities, and therefore of citizens themselves. They may delay the process that everyone wants, they automatically cause citizens to resist change and lead to their disillusionment with politics, which may entail the undesirable risk, especially in the new

democracies, of a retrogressive development.

Social and economic problems are arising in the countries of Europe today, the resolution of which will strengthen people's continuing tendency to believe that subsidiarity is to be understood not only as the distribution of responsibilities between the European and the national level but also as the consolidation of local self-government (which was almost forgotten at Maastricht), with decisions being made as close to the citizens as possible. This is in no way a purely political demand but, rather, a rational necessity which, due to the general difficulties in Central and Eastern Europe, is more pronounced there than elsewhere.

...

4. Special features of the new democracies

When examining these questions in the Council of Europe, it was discovered that the problems faced by, and the arguments put forward in, the new democracies were very similar to problems faced and arguments expressed in Western Europe (something that was later, at preparatory sittings, not only affirmed by representatives of Eastern European countries). It was also found that countries were confronted with only few (but important) problems specific to themselves and with many more problems which can to a large extent be resolved in the same way as those experienced in other European crisis areas. Social, environmental, infrastructural, economic and other problems always have a regional character, but their causes, and,

much more, alternatives for their elimination, have so much more in common throughout Europe today than was the case a few years ago.

If this is correct we shall also be able to deal with fewer and fewer local problems at the European level, and assisted regions and those which might be put at a disadvantage in this connection will have to be dealt with more and more as a complex of problems. It must not be forgotten that it is human beings, European citizens, who are affected by what is being done, people who are now not only citizens of their own town or village and of their home country but also, increasingly, of Europe, and they must learn how also to bear responsibility for one another.

5. Regions - points of view and general developments

As far as the creation and distribution of regional responsibilities is concerned, there is nothing special about the fact that no clear trend is becoming apparent in Central and Eastern Europe today. In the old member states of the Council of Europe there are various examples to follow which, as a result of the considerable transfer of information by Western European countries, are very well-known to a wide circle of people in the newly emerging democracies.

These countries are today facing the difficult decision on how they are to organise their regional level of government - whether to retain or change traditional structures when,

at the same time, people have long been speaking about a Europe of the regions. For these countries, a fundamental desire today is their wish to meet the conditions for their integration into Europe. A government policy deviating from this would almost certainly be rejected by voters, for whom special importance attaches to the long discussed, and still lacking, guide on how in the future they can argue their case in Europe in support of their regional interests, since a decision that paves the way for the future would mean they could save a considerable amount of time and effort and - something that appears even more important given the economic situation in the next few years - money. Whether an interim solution will be necessary and whether a bad decision will further weaken some countries depends on the continuation and success of the negotiations with the European Union.

Following the disintegration of the unitary state, each local authority and group of citizens has striven for the greatest possible independence. inter alia, this has led in many countries to a doubling of the number of independent local authorities, for example in Hungary, the Czech Republic, Slovakia and Poland.

After the experience of the last few years, the fact that it may be necessary to do some restructuring is now being discussed because - as can be gathered from Mr. Pramböck's report - the growth in the number of local authorities, some of which have even received financial assistance, adversely affects their ability to carry out their functions.

... The regions or territories that have evolved over the centuries, each with different responsibilities, a different status and size, cannot, and must not, be suddenly abolished and replaced by something new. The regions that are to be established according to the development plans of the European Union are supposed to include structures that have developed historically, integrate them when any necessary changes are made and, with due regard for regional characteristics, ensure all tasks are carried out on the basis of the principle of subsidiarity.

How important it is for the principle of citizen participation to be fully observed and for us to ensure that people get to know, inform and accept one another by means of partnerships and co-operation between local authorities and regions is shown by the cruel war in former Yugoslavia. In other parts of Europe, too, tensions are arising again and again between regions, countries, minorities or citizens.

It cannot be stressed enough that the most effective means of bringing about and stabilising peace and compensating for differences in the development of various regions is the maintenance of contacts and co-operation. This fact was realised and support was given early on by the Council of Europe, the European Union, governments, non-governmental organisations and associations of self-governing authorities. It was also emphasised at the meeting of heads of state and government in Vienna in autumn 1993. Intensive institutional contacts and,

even more important, contacts among citizens offer virtually the only possibility for the dissemination of ideas among ordinary people that transcend purely national interests.

It should be pointed out again and again that after the elimination of economic, ecological, social and other problems in one region of Europe similar problems may arise in another. Due to this undesirable effect, a confrontation of citizens who live in the regions and react to such problems more sensitively than ever before in the Europe of Today, should be avoided.

6. Specific situation in Central and Eastern Europe

In those countries which lived for decades under a communist dictatorship the democratisation of the state coincides with the collapse of the state-run economy. Most citizens still respond in the old manner, which is something that has been instilled in them since their birth. This is, of course, no different in other countries, and it renders it very difficult to make sweeping changes everywhere. However, in Central and Eastern Europe people are also under the additional pressure to make those changes that are necessary immediately, and the first years of the young democracies have had the sobering effect of making them realise that there are no ready solutions that can be adopted without making fundamental changes.

Now that these countries have received a

large amount of information from, and learned from the experience of, the Council of Europe, the European Union, national governments and local government associations in Europe and other continents they are developing an increasing ability to find their own specific solutions to problems. The background to these ideas is formed by the resolutions of the Council of Europe and the rich experience of numerous European countries, but up to now there has been a lack of a parallel exchange of experiences between the countries involved. This defect has been recognised by the institutions of the Council of Europe, and today they offer tremendous opportunities for the development of these contacts.

The countries of the former Eastern bloc were, it is true, not homogeneous before the political changes either, but extensive similarities among them in the past - partly geographical, partly inherent in the system - would have made solutions possible that were easier for them to adopt. Here it is necessary to emphasise, and this has been mentioned on several occasions, the general shortage of time, money and capacities. The initial reserve towards one another of these countries that were once allies could be explained after the collapse of the communist system by their turning away from everything that had anything to do with the most recent past.

The reorganisation of the contacts between these countries and their co-operation with one another can considerably speed up the establishment of democratic institutions and

economic development, which is of decisive importance for this region today.

However, in Europe general priority should be given to not allowing the unification process to slow down, either artificially or unintentionally, due to a new division between East and West or North and south. Not only representatives from Central and Eastern Europe have repeatedly pointed out that, when people get to know and compare the problems of European countries, they discover they are identical.

In the interest of all countries, any great divergences in the democratic and economic development of individual countries should be prevented. Without violating the sovereignty of member states, the European institutions should continue to find new ways and means of ensuring that there will be no repetition of the political division of Europe.

7. Finance

In most countries, legal autonomy is guaranteed by charter, but often restricted by finance.

It is precisely in places where local government has been fragmented to permit the introduction of local autonomy that directly elected regional authorities are lacking, while dozens of decentralised state authorities have been set up. The growth of state influence creates a democratic defeat, reduces support for local initiatives and favours the emergence of structures remote from people's needs.

In the countries of Central and Eastern Europe, this marks a return to the kind of political structures that people do not want and creates distrust and opposition.

The autonomous authorities are in a weak position and have little influence on state law-making. The increasingly minimal financial resources are usually distributed in ways which run counter to the interests of local and regional autonomy. The real value of local receipts is declining. At the same time, governments are seizing their chance to hand over problems which they cannot solve and powers which they cannot use, but without handing over funds to go with them.

Local authorities never get more than 10% of tax revenue. Even in countries where land ownership problems have been settled in their favour, they cannot supplement income by selling property - first because sites and buildings are not greatly in demand, and secondly because receipts from sites must be reinvested if capital is not to be diminished.

Loans are another possibility, but this solution is still very little used (the average level of debt in Hungary is 4%). The reason for this is that, before the political changeover, local and regional authorities could rely on extra state funding to cover any shortfall on expenditure determined, not by receipts, but by political considerations. Now that the state economy has gone, this possibility has also disappeared. The banks offer judicious loans at favourable rates, but recourse should certainly be had to the

funding techniques which are well established in democracies.

8. Public service structures

The new general conditions created by the change in the system - new laws, the party system, the free economy, a large measure of autonomy - are generating new problems, not just for the new elected representatives, but also for public service staff.

While many countries were setting up new local authorities, and new municipal offices to go with them, the decentralised state services were simultaneously recruiting numerous qualified staff - such as lawyers, administrative experts and other highly-trained civil servants - who had previously worked for the existing autonomous authorities. As a result, there is a need for, and sometimes a positive lack of staff with the ability to run administrative authorities in a manner consistent with the new and very critical expectations generated in the public mind by the change in social conditions.

For these reasons, qualified staff are simply not available to fill all the posts in most local authorities, and existing staff are overworked. Comparison with the situation in advanced democracies shows that far fewer civil servants are needed in a dictatorship. The public take a critical view of the partial increase in staffing levels after the changeover. They doubt whether this is necessary and at the same time expect civil servants to be more efficient.

This account of the situation highlights the importance of training, continued training and contacts with counterparts in other countries for public authority staff in Central and Eastern Europe. The relevant institutions in democratic countries have accordingly set up training programmes, but these are badly co-ordinated, often overlap and are very time-consuming for the staff concerned, which reduces attendance and weakens their effect.

So far, all training centres for public service staff have been state-controlled.

The great difference between the work done by local and state authorities, and between requirements at those two levels, is generating an increasing need for special training centres for local government staff. These centres could provide regular, continued training for staff, and could also be included with state schools in an international training network, making for co-ordination and compatibility.

Twinning schemes and the various programmes at present under way show that both sides have much to gain from ongoing co-operation between partners (LOAD, PHARE, ECOS, KNOW HOW).

9. Final points

Local government representatives in Europe must succeed in obtaining satisfaction for the growing public demand at local level for institutionalised co-operation in all areas, and for local involvement in the taking of those European decisions which local and regional

authorities are expected to depend and implement.

The point has to be made very often, alas, that the word "democracy" comes from the Greek word for "people", and that democracy which is not rooted in close, permanent contact with the people - the people of our districts and regions - breeds nothing but self-perpetuating problems.

We must recognise that our continent's problems will be less and less amendable to local solutions as time goes on, and will increasingly have to be solved globally, by heartening comparison with other parts of the world. This is why our national ways of thinking must be scaled up to European dimensions. We must recognise the basic importance of local authority twinning schemes, which must involve a broad cross-section of the population, and not be simply formal and theoretical. The appalling war in Bosnia shows how little countries, peoples and communities know about one another, how easily critical situations are misread, and how quickly people stop believing that current remedies can solve current problems.

The Council of Europe and the Council of European Municipalities and Regions must continue their efforts to build a united and peaceful Europe and to detect developments in good time. They must, in other words, analyse the new conditions and adjust to them, find new paths and come up with new ways of consolidating democracy and peace.

Discussion Group 1

Constitutional Aspects of Local Democracy

Moderator: Prof. Ulrich Fastenrath

1. In their introductory statements, a number of states availed themselves of the opportunity to give a general picture of their systems of regional and local administration, to describe recently accomplished reforms or to mention specific problems which their administrations have encountered on the way towards decentralization. These problems vary: they may concern local housing projects, property relations following fundamental political changes, but also local lobbying or attempts by the central government to exert increasing influence. The need to provide efficient social services, such as schools, public transport and hospitals, at regional and local level was also discussed.

Non-governmental organizations (NGOs) addressed particular problems, such as the question of minorities and their representation or various patterns of supervision of regional or local bodies by the state.

2. Next, concrete arrangements for the distribution of competences between the state and the regions were discussed. It was found that states with a long democratic tradition at substate level could dispense with precise delimitations of powers. These states rely to a high degree on practical cooperation. Most states, however, explicitly allocate competences in their constitutions and/or in statutes. In this connection there are different

models. On the one hand, it may be conceivable to give regional bodies a general competence, with only certain fields being excluded in favour of the central state. On the other hand, it is also possible to allocate only very specific competences to the regions, all other competences remaining with central government. There may also be fields where the competences of the state and the regions overlap. In this case, the state may remain competent as long as the regions do not use a given competence, or alternatively a competence may remain with the regions as long as it is not claimed by the state.

It should be noted in this context that decentralization usually goes further in the executive than in the legislature. Even if a state keeps for itself the power to enact legal rules, it often leaves their actual implementation to a lower level.

The powers of the central state to interfere with the activities of the regions may take various forms, supervisory measures, directives or laws to harmonize regional rules that are considered to differ too much. Sometimes such interference causes dissensions that have to be decided by the courts. In all these cases, however, disagreements of a general political character between the state and the region or municipality may play a role.

3. The aforementioned two patterns - on the one hand a general competence and on the other an express specific allocation - are also conceivable in the case of local bodies. The municipalities virtually everywhere are submitted to state control of the legality of their actions. With regard to a more extensive control which also covers the expediency or political appropriateness of a measure, marked differences were found, even in areas where local bodies exercise tasks which have not been allocated to them by the state. Generally speaking, it may be said that in states which are subdivided into regions, the status of municipalities is rather weaker than that of the regions.

4. The financial autonomy of regional and local bodies was the subject of particularly lively discussion. Generally, it was felt that the true value of the powers given to the regions and municipalities is highly dependent on whether they have the requisite financial resources to exercise these competences sensibly. Several participants regretted that the tasks were not matched by the financial resources available.

In most cases, there are several ways of financing local and regional autonomy. Firstly, regions and municipalities often levy their own taxes, whereby the importance of these taxes for their budgets varies considerably from state to state. The state usually lays down a framework for such taxation. Sometimes, regions and municipalities also participate in the revenues from state-levied taxes, following a specific system of distribution. Secondly, financial

grants may be given by the state. These may be linked to specific projects, which might conceivably give the state considerable influence over the regions and municipalities. But such grants may also be given without being linked to a given purpose, in which case the region or municipality may freely dispose of them within the framework of their autonomy. Finally, regions or municipalities may have revenues derived from their own economic activity. In Central and Eastern Europe, however, this often meets with difficulties due to unclear property relations.

Apart from the sources of revenue, the question may be asked how far regions or municipalities should be autonomous in setting up their budgets. In some states, there are laws that permit expenditure only insofar as it is covered by revenues, and that limit the raising of loans. On the other hand, it was argued that regional and local administrations were accountable to their citizens at the next elections or even in an ad hoc referendum, and that control by the central state was thus superfluous.

There is also the problem of financial adjustments between wealthier and poorer regions or municipalities. Such adjustment may be effected, for instance, through the amount of state grants and it may to a certain degree be necessary in order to reduce large discrepancies between the economic resources and consequently the tax revenue of different regions and municipalities.

5. Several models were presented for the practical shaping of regional and local

democracy. Thus, elections may be held according to the majority system or the proportional representation system. However, it was also found that there are cases where local bodies require state confirmation after their election, giving the state a way to exercise influence.

The question of foreigners' right to vote and to stand for election at local level was given special attention. Some states grant foreigners such a right if certain conditions concerning their domicile and the period of their residence are met. In most cases, the matter is regulated in a law applicable uniformly to the whole state, but it was also reported that this decision may be left up to the regions or municipalities themselves. Practical experience of the exercise of this right varies considerably.

Moreover, the question of minorities was discussed, a matter relevant, for instance, to the minimum percentage vote required and to the concession of guaranteed seats in local or regional elected bodies.

Finally, direct participation of citizens in certain matters (e.g. town planning) was discussed in this context.

6. The legal remedies open to the regions and municipalities against the state vary widely. This depends, firstly, on whether their autonomy is granted by the constitution itself or by statutes. Secondly, the outward appearance of state interference is often relevant, as such interference may occur by way of a statute or a specific administrative

act. The degree of interference may also play a role; thus, it may be relevant for choosing the correct remedy whether the act of interference affects the very existence or the territorial integrity of a region or municipality, or whether the distribution of competences has been disregarded.

The efficiency of legal remedies is also affected by the number of successive appeals provided for by the relevant procedural rules, as this is directly linked to the length of the proceedings in court.

7. The possibility of disagreement between different parts of the same body (e.g. between the mayor and the town council) was also discussed. Due to the varying arrangements for regional and local autonomy, however, this question does not arise everywhere.

8. Finally, it was discussed whether and to what extent the constitution of the state ensures democracy at the regional and local levels.

9. A number of states participated actively in the discussions, particularly those which have a federal or regionalized structure. These states presented their arrangements for establishing and guaranteeing regional and local democracy. Thus, an overall picture of the various ways to achieve this end emerged. The countries of Central and Eastern Europe and the successor states of the former Soviet Union, which have witnessed important social changes only recently, reported on their plans in this field. Some of these plans have already been carried out; others await

implementation. Since certain problems, often quite similar, occur in many states in guaranteeing regional and local democracy, it was useful to hear how these problems have been overcome elsewhere, and what possibilities there are for their solution.

The NGOs participating in the discussion particularly emphasized the aspect of minority problems. Representatives of the Council of Europe reported on conventions and studies which have been or are being prepared there. They also gave valuable and detailed information and comparative statements on several questions, in particular the financing of regional and local tasks and foreigners' right to vote.

Some regret was expressed that only a few of the national delegations included representatives of regional or local bodies, which meant that their point of view was sometimes put forward less extensively than that of the state government.

Discussion Group 2 Civic Society and Local Democracy

Moderator: Ms. Violeta dela Pena

The role of local authorities and communities in promoting cross-cultural understanding and tolerance.

Discussion Group 2 began its work by addressing issues of cross-cultural understanding and tolerance. Delegates discussed the principles of equality and non-discrimination before the law, and described a variety of local structures for addressing crosscultural, and especially minority issues such as councils on ethnic minorities. Speakers cited benefits of ethnic minority representation in municipal and local administrations, participation in municipal activities, and interaction between minority commissions and local authorities. Monitoring of such participation and interaction was described as essential.

We discussed the exclusion of some groups from local democratic processes. Educational programs to increase minority voter turnout were described. Speakers pointed out that minority member representatives in municipal administrations may sometimes be coopted by the majority and not represent the interests of their minority group. There was agreement that achieving integration goals requires interaction between minorities and the majority, as well as the development of positive majority attitudes toward minorities. One theme that often returned to the discussion was the responsibility of politicians

to advocate integration, to set a tone to influence positive majority attitudes, and to send the message to the public that society has become permanently multicultural.

Discussion touched on the importance of police officer education, problems presented by cultural and language barriers, problems of and solutions to tensions between different minority groups, and the creation of minority support offices through legislation and appointment. Speakers pointed to funding problems for programs addressing minority needs, and the risk that public funding for such programs can create a right-wing backlash against minorities. This point led to a discussion of xenophobic violence, and possible legal and educational responses. Speakers stated that education was the key to promote cross-cultural understanding and tolerance, and to prevent the emergence of ghetto structures. Because tolerance is the responsibility of both citizens and the government, interaction between local authorities and foreign residents or minorities is essential to meet the needs of these groups and develop strategies to reduce xenophobia.

We noted that public demonstrations of support for multiculturalism and sympathy for minorities after violent xenophobic incidents play an important positive role. We also discussed the question of how to deal with growing bigotry from the right-wing.

Our first session ended with presentations on the need to inform the majority about the history and culture of minority groups, and the need for the children of minority groups to have education in their own culture, history, and mother-tongue. There was a consensus that education is essential on the path to co-habitation.

The role of local authorities and communities in promoting a positive approach to issues of migration.

Our second session opened with a discussion on the different rights to education for documented and undocumented immigrants in different countries. Speakers noted the reluctance of some illegal immigrants to enroll children in school for fear that this could lead to deportation.

Different sources of migration were described as having different problems (depending on whether migrants come as refugees, as laborers, or as residents of former colonies).

One delegate pointed out that migrants who came to Western Europe in the 1950s and their children are now dependent on Western European society, illustrating that migration leads to growth of minority communities with socio-cultural implications. Migrants face a range of social and cultural disadvantages which local authorities must consider in attempting to integrate migrants.

Delegates described various policies local authorities have developed to prevent deprivation and combat discrimination against migrants. The role of local institutions

in dealing with problems of seasonal migrants was addressed. When authorities close their eyes to the presence of illegal migrants, one delegate noted, this is a form of silent consent to their illegal status.

Discussion turned to the imbalance in local housing, education, and health care created by large-scale illegal immigration. Problems created by illegal migration have been exacerbated by economic recession. While legal migrants often come to a country with pre-arranged employment, housing, and other support, illegal migrants can be exploited by employers and landlords, may remain unemployed and bring a different set of social challenges to local authorities. We also discussed the special needs of refugees who recently left refugee camps.

Some delegates suggested that most illegal migrants and refugees intend to remain permanently in the new country. In discussing the possibility of amnesty for illegal migrants, concerns were raised that this could fuel illegal migration as employers seek new sources of cheap labor, but could also allow authorities to register the migrants and provide them with protection and services. It was noted that migration requires societal changes toward multi-culturalism with legislative implications. Some argued that the man-on-the-street is still rejecting multi-culturalism. It was suggested that migration be limited based on availability of employment and integration ability. In considering the administrative and fiscal challenges to local authorities of migration, a number of delegates described programs in

which national funds are passed to local authorities for use in migration-related services.

Discussion moved to considering long-term prospects of migrants in a society. The attitude of migrant parents was cited as of particular importance to integration. Government programs to support integration efforts were also discussed. It was suggested that migrants can achieve equality in new societies through training and with intentions to integrate. Migrant family preferences for rapid employment over training for more lucrative jobs were noted, as were obstacles of language barriers.

Delegates mentioned the involvement of criminals in illegal migration efforts and the need for international cooperation to deal with this problem. Speakers also discussed the challenges of dealing humanly to prevent illegal migration. Local authorities were identified as responsible for migrant housing, employment, health care, and other services. Proficiency in the local language was cited as the gateway for migrants to local society and culture. To foster positive developments, some localities have boards for ethnic equality. The possibility of providing financial incentives to entice illegal migrants to return to their country of origin was suggested.

The conversation turned to rethinking full integration policies due to pressure for separate facilities from religious groups. Possibilities of separate religious schools and cemeteries were discussed, as was the importance of equality in standards of public

and private schools. We considered the implications of public financing for private schools and language training. Delegates noted that integration is easier for migrants from neighboring or similar countries than those from very different cultures. Delegates also pointed to the importance of developing friendships among children of the majority and migrant populations to promote integration. The opinion was expressed that ethnic groups' efforts to preserve their differences are shutting themselves off from integrating into the community. Dialogue was cited as the answer to this problem. Delegates described the activities of government subsidized clubs and cultural events as useful ways to show the majority aspects of migrant group cultures.

In considering building majority acceptance of unfamiliar religious practices by migrant groups, concern was raised over possible communication gaps between religious school students and children from the majority. To elicit positive signals about migrants from the majority, local authorities can develop transfrontier programs for contact with foreigners (such as city twinning programs) to build understanding and reduce xenophobia. The session closed with consideration of what terms of reference to use when migrants become the majority in a local area.

The role of local authorities and communities in promoting a positive approach to the issues of national minorities.

Our third session returned to laws conferring on minorities rights to cultural autonomy, opportunities for self-government, rights to proportional representation, and rights to bilingualism. Despite these legal rights, it was noted that minorities may not be prepared to take advantage of them. States and local authorities need to actualize the commitments made in documents and laws to provide for minority rights. We discussed issues of minimum representation quotas, enfranchising minorities to provide them with political alternatives to violent frustration, and special conditions for national minority political parties. It was pointed out that, politically speaking, minority participation tends to be strongest at local levels, and that minority representation at the local level can be an entry way into national level involvement.

Speakers addressed the role of minority committees and foundations, and cultural programs for promoting integration into mainstream society. We explored the question of the rights of foreign non-citizens to stand for, and vote in local elections. Delegates pointed out that voting rights give confidence to minorities that they are legitimate members of society. The point was made that consultation with minority groups is not an adequate substitute for granting them voting rights. We pursued the idea that legislative frameworks for minority protection do not guarantee healthy democracy or solutions to minority problems. Representation in government was cited as an important element in reducing tensions between the majority and minorities (in the

form of both elected and appointed officials). A number of delegates agreed that practices, rather than legal provisions, determine the success of positive minority situations.

Discussion moved to the role of human rights curricula in educating the majority to overcome stereotypes. We heard about NGO centers that bring together children from the majority and from minority groups to foster cross-cultural understanding, and considered ways to encourage minority groups to participate in national public life (such as guaranteeing them seats in parliament). We then discussed the responsibility of ethnic groups to register and set up associations and that of the authorities to facilitate that process. As was stated by one delegate, despite legal principles of equality and non-discrimination, no state has yet achieved the perfect solution to these minority concerns.

Delegates described cooperation between local authorities and NGOs to educate for tolerance, and provide education in the mother tongue. One delegate noted that all our national cultures would be poorer without the contributions of minorities, and that it is our moral duty and in our common interest to support their education and development, and help them preserve their cultural and linguistic heritage. Another noted that we need to develop an awareness among the majority that minorities have the right to preserve their languages and cultures. We were reminded that in some cases where such processes had succeeded, they required years to progressively evolve, and were assisted by healthy economic conditions.

Discussion next focused on the relationship between education and employment, as delegates argued that we should work for societies where education and employment are within everyone's reach. To create tolerant multi-cultural societies we must train our lawyers and judges to help victims of discrimination, indeed all minorities, to obtain and exercise their rights, and we must get members of society to accept all other members for who and what they are. We must monitor our societies' progress combatting discrimination. Legislation guaranteeing rights for minorities, education for minorities and for the majority about minorities, and leadership at the local, regional and national levels that promotes tolerance are all essential, but none are sufficient on their own; the hope of creating a tolerant multi-cultural society depends on approach combining civic, linguistic, cultural and professional education, legislation and leadership as well as integration through active participation of minorities in all aspects of civic life.

Media and dissemination of information at a local and regional level.

The final session of DG 2 began with discussion about elections and the role of the media. Controls over campaign spending for television access, and TV time limits for candidates and parties were described. Possible links between declines in voter participation and increased reliance on TV rather than newspapers for political

information were considered. Delegates described voting patterns as heavily influenced by impressions made through the use of TV. Some speakers said TV had almost no influence on local elections in their countries, as election decisions are based on personal knowledge of candidates. In other countries, TV was described as a revolutionary innovation in local elections with a huge influence on a large audience.

Discussion moved to government subsidies for minority-language newspapers, radio and TV broadcasts. Delegates noted the prohibition in some governments on restricting freedom of the press. Some countries have self-regulation boards organized by journalists to combat prejudice and stereotypes in the media. It was suggested that public officials should use the local media to spread a message of tolerance. Cross-border broadcasts targeting minorities in neighboring states were discussed, as were multiple language publications. Some delegates said that, while local newspapers are the norm in their countries, local TV stations are rare. Cable TV channels catering to minority groups were described as a positive development.

Speakers addressed the access of minority groups to various forms of media, reporting different levels of access in different countries. In some countries, local media are reportedly uninterested in activities of the local authorities, inspiring the authorities to circumvent the media and distribute their own newsletters. The use of TV and radio to

maintain the ethnic identity of minorities was mentioned. One speaker said the best thing TV can do for minority groups is to show them as normal people, as journalists, talk show hosts, etc. TV can use affirmative action to promote minorities as accepted figures in public life. Affirmative action policies in public administration are among the few means governments have beyond education to assist minorities in the integration process. Direct majority contact with minorities was cited as the best way to overcome tensions between the groups.

The point was made that in some new democracies people are not yet used to be responsible for their own affairs, and that local TV can teach them to develop initiative and inculcate hope for a better future through taking responsibility for their own lives. The discussion concluded with a contention that a main task of the media, and indeed of local democracy, must be to incorporate minorities into society with their special traits intact, and without negatively affecting the majority.

Discussion Group 3

Building Democracy at Local and Regional Level

Moderator: Dr Joanna Regulska

Discussions in Group 3 addressed issues of building democratic practices and democratic institutions at the local and regional level, in particular four themes were addressed: (1) citizens participation and the process of building democratic institutions; (2) role of NGO's in establishing democratic practices; (3) role of international organizations, and (4) transfrontier cooperation.

Theme 1

Citizen's participation and the process of building democratic institution.

Building democratic institutions depends primarily on the strength of local, regional, and national citizen participation. Citizen participation, however, is strongly determined by national and local historical circumstances and, in turn, by the framework in which it is promoted. Although the support of central administrations, national and international organizations play vital roles in this process, the commitment and response of regional and, especially, local governments are becoming instrumental in encouraging citizen involvement. In each of the represented countries, this role is changing according to nationally-specific historical circumstances. The session participants identified several factors which ultimately contribute to the development of participatory democracy:

political culture; education, training and leadership development; openness or transparency of elected councils and administrative institutions. Equally important are who is included in this process and which unit of government is responsible for the involvement of local citizens.

A. Political Culture

Drawing from their own unique political cultures, the session participants spoke of how local governments perceive the role of citizen participation and how the local government chooses to develop that role. Several country-specific examples and concerns were presented. In Finland, there is concern that local governments have assumed too much responsibility for the welfare of their citizens. Other participants voiced concern that consumer choice models may prioritize a system over the preferences of people. In the former East Germany, the Mayor of Suhl is establishing formal processes of democratic participation in order to insure communication about and understanding of local government processes. This need to introduce democratic culture was voiced by other representatives from Central and Eastern Europe. The delegate from Sweden informed the working group that although citizen participation is a good compliment to political democracy there is

concern that elected council members may delegate decision-making authority to employees and circumvent consultation with clients or citizens.

Several participants stressed the importance of free elections as a first step in the involvement of citizens in building democracies. The results of local elections are not only important for local democracies but are also closely watched by national leaders and can have profound effects on central -local relations. East and Central European representatives pointed out, however, that it is not enough to simply create the legal framework to insure free elections. The people who vote must be interested and willing to participate both in selecting the candidates who will stand for these elections and in actually voting for them.

Held every 3-4 years, elections remind people about their right to participate. The question that many countries face is how to encourage and sustain citizens initiatives between elections. Barriers preventing active participation are many: fear of democracy and no awareness of self-governing principles, declining interest in participation, lack of trust of local government to represent citizens interests, lack of choice of institutions, lack of information or lack of trust towards politicians. Some delegations raised the concern that women are under represented in public life, and therefore the efforts should be made to understand why so few women are involved in public life.

B. Education, training and leadership development.

The participants repeatedly stressed that education and training are of crucial importance to sustain democratic practices. Participants discussed different approaches used to introduce, encourage or sustain citizens' participatory practices. Examples range from education of children (Kids Voting Program in USA); a formalized participation of citizens through regular, open town meetings (city of Suhl); establishment of Citizens Charter - which informs local citizens about the services to which they are entitled (UK), and Town Twinning programs or encouragement of citizens by local government to establish clubs, associations or other interest groups.

All these and many others programs attempt to bring citizens closer to the actual practice of democratic principles and governance at the local level. The establishment of working relations between local government officials, politicians and citizens was viewed as a necessary prerequisite of success. This discussion triggered expression of concern by some delegates that often citizens may ask for solutions which cannot be delivered due to variety of reasons (e.g. financial limitations) and that communication between politicians and citizens is often insufficient. Public meetings, demonstrations, letters to the press, participation in local committees were mentioned as tools used by citizens to voice their concerns. There appeared to be

unanimity among participants that what we need are continuous efforts to educate, train and develop local leadership among all groups of citizens, old and young, women and men, and different ethnic and religious groups. Only then we will secure full participation of citizens in the process of governance at the local and regional level.

C. Transparency and openness of governance.

Several testimonies presented by delegations pointed out the interconnection between participation, education and transparency. Participation is a scary task that can be eased if the system is open, friendly, and accessible to citizen review. In this context, the important role of the media was raised. The free mass media is seen as an effective means of educating citizens, bringing information to the public that otherwise may have been hidden, and promoting knowledge among citizens.

Building democracy requires the search for common understanding among different constituencies, but democratic governance needs to be transparent for citizens. Local governments need to construct an open and public process. It is a two way street: councilors need to be encouraged to conduct their business in the open, and citizens need to provide support for that openness and interest in participation. Even if local government cannot deliver what is expected by citizens, it is far better to inform people and tell them the truth rather than hide it. In general people can deal better

with the negative outcomes when they know the actual facts and circumstances surrounding the decision-making process.

As voiced by many delegations from Central and East European countries, their task is to restructure their local government system, to open it, to gain the trust of citizens, and to improve its performance. While the conditions under which this transition is taking place are very difficult, reforms are progressing. Free elections at the local level have taken place, and new systems of self-governance have been implemented in many countries at the local level. Yet, there are difficulties with the implementation of self-governance at the regional level. As the Norwegian delegation pointed out, the results of research are confirming the emergence of positive changes. The overall skepticism and hesitancy on the part of citizens is still high but those who see the changes believe they are positive: local governments improved their performance over the last three years and local political cultures, while still not yet settled, slowly becomes embedded in daily life.

Theme 2

The Role of Non-Governmental Organizations in establishing democratic practices.

The session stressed the important role of NGO's in promoting democratic practices and the challenges they face in meeting this objective. The role of a "third sector" helps to insure government does not

act in an arbitrary manner and helps to sustain the complex process of democratization. In Central and Eastern Europe this is a new form of participation that citizens can enjoy. In the past the activities of such groups were forbidden. The notion of NGO is still new and much more discussion needs to take place about their definition. Although roles vary according to the needs of the specific country and political culture, NGO objectives can be classified in the following categories: delivering municipal services, grassroots organizing and interest group lobbying, and providing education and professional and technical assistance:

A. Municipal Services

In a number of Scandinavian countries, the decline in services provided by municipal governments has prompted a resurgence of NGO's to fill the gap. The contraction of municipal services during the 1980's has encouraged NGO's to provide eldercare, daycare, recreational services, and substance abuse programs. In Finland, NGO's enter into contracts with municipal governments to provide specified services. In Central and East Europe, while this form of service delivery has not been known before, now increasingly often NGO's are perceived as providers of social services. They fill the gap after the central governments withdraw their support and economic transitions lead to the need for the development of social safety net.

B. Grassroots Organizing and Interest Group Lobbying

NGO's also develop in response to specific local, national, and international situations because other groups, including the government, have either failed to act or do not regard the group's objective as a priority. Grassroots organizations in the former Yugoslavia have created anti-war organizations that began as informal groups concerned that nationalism would prevent international democratic reforms (Blue Forum). In addition to the important role within the former Yugoslavia, these groups help to dispel the belief abroad that nothing is being done to oppose the war by the citizens themselves. Assistance to refugees who have fled these countries was initiated in Sweden through a coalition of political parties (Multi-Party Initiative for Bosnia).

Grassroots organizing and interest group lobbying are also the main objectives of organizations that develop to promote and meet the needs of certain population groups. For example in Poland, the Center for Advancement of Women has responded to the growing problem of unemployment of women by developing programs to train women workers and by lobbying for their rights. In Denmark, the National Council of Women serve as a umbrella organization for 40 groups such as women's organizations, trade unions, women's studies, religious and humanitarian women's organizations.

C. Education and Professional and Technical Assistance

Another form of NGO mentioned by

participants focused their activities on provision of training, professional education and technical assistance. These groups provide technical assistance and training to one another, to the local governments and to citizens. The services they provide are unique and often would be provided by government in a very limited scope. These types of NGO's are especially important to the building of democracy in Central and Eastern Europe. In Bulgaria, NGO's assist communes in a number of environmental projects and help to monitor the legality of decision-making. Romania has created a federation of towns that assist one another with public administration issues and cooperate with other similar associations in other parts of the world.

Poland's Foundation in Support of Local Democracy assists localities in the development of democracy by training local government officials, providing consulting assistance to municipalities, promoting professional organizations, arranging international exchanges, and working with local governments to insure more efficient municipal management. As an independent force FSLD works closely with citizen participation, encourages participation and promotes dialogue between citizens and local government initiatives. Another Polish NGO, the Foundation for Social and Economic Initiatives supports citizens and their social and economic projects through training and small grants programs. Many of these and other NGO have established numerous international contacts and exchange programs.

The discussion then turned to the challenges faced by NGO's in meeting their objectives. Their outsider role guarantees them a certain degree of independence. At the same their effectiveness can be limited by uncertain funding that constrains administrative capacities, skill transfers to other organizations, and internal professional development. Often this potential instability limits the setting of long-term agendas and objectives. Fundraising difficulties are exacerbated by many NGO's unwillingness to be tied by governmental strings that accompany funding allocations. Often, the necessity of financial support outweighs the concern about receiving government funding. This, however, brings autonomy issues into question as, according to the American delegate, fiscal autonomy is often related to political autonomy. How do NGO's secure their own agenda if they are tied to governmental strings? In Sweden, NGO's are financed by the government according to the type of activity performed that complements municipal needs. The principal, however, is that NGO's should be fully independent.

Significant funding resources can be found by searching outside the government and tapping the larger resources of the corporate and foundation sector. In the United States, Kid's Voting has found corporate sponsors for many of its projects. Corporations use such sponsorship as marketing tools, and both organizations can reap benefits. Funding, however, can depend on the popularity of the NGO's purpose, and many grassroots organizations responding to

certain causes do not have such wide appeal.

Funding problems also limit the capacity of NGO's to both transfer their skills and successes to comparable organizations nationally and internationally. These problems are partially resolved through networking and independent sector conferences. Although technical innovations such as electronic mail can vastly improve networking capabilities, such innovations are not yet wide spread and are expensive. The issue of networking was raised by many delegates. Transfer of experiences, skills and knowledge between different groups could serve as the most important tool bringing together NGO's domestically and internationally. Establishing contacts, sharing experiences, and referring funding and technical resources greatly improves the capacity of smaller organizations to achieve their objectives. Networking has been particularly important for organizations and establishing contacts for people and organizations in Eastern and Central Europe whose previous contacts with Western Europe and North American were limited.

The establishment of NGO Twinning Program was proposed. The program would be based very much on the principles of existing Town Twining initiatives. Some NGO's in Central and Eastern Europe have been asked to share their expertise with their neighbors. For example, FSLD receive requests to transfer their administrative and training models to other Eastern European countries, but its funding and those of the neighboring countries restrict such efforts.

International organizations could play a very important role in the transfer of expertise among NGO's by assisting them financially. Networking is also promoted by governmental funding sources without giving money. In Poland, the Agency for International Development provided professional expertise to a local hospital organization that included how to use volunteers, public relations assistance, by-law creation, and management expertise.

The discussion then centered on the important role of volunteers in most NGO's, and the administrative capacity to both encourage their participation and manage their use. In Central and Eastern Europe, in the past citizens were not allowed to organize and join clubs, associations or any other form of NGO unless an official party approval was obtained. These past practices, while gone in theory, in practice, do slow down emergence of current participatory attitudes. In addition, current changes in the economic structure of these countries have required that persons work longer hours and have several jobs leaving little time and energy to attend neighborhood associations or volunteer at the local civic association. Volunteer time and energy may also be abused if sex-stereotyped assumptions prevail about who can volunteer. Organizations must be careful not to abuse the good will of women who have typically been regarded as unpaid workers and are more likely to work as volunteers. The capacity of outside organizations to promote citizen involvement may provide a legitimacy that local governments with their own agendas lack.

Theme 3

Role of international organizations

The international organizations were perceived by many delegations as crucial partners in the development of formal and informal linkages between citizens, NGO's, local and regional governments, parliaments and central governments. The international organizations present at the discussions of Group 2 stressed the multifaced attempts to develop wide ranging programs that would respond to the needs of their member states and their constituencies.

Representatives of several individual organizations presented their programs and activities aimed toward strengthening local democracy at the regional and local level. Many efforts complemented one another. The representative of the Council of Europe stressed the four dimensions of the present work focused on bringing together member states in the area of standard setting, representation and dialogue (national, regional and local level), and co-operation and assistance programs (e.g. LODE Local Democracy program). The European Commission presented their efforts in providing assistance to Central and East European countries and Baltic Republics through Phare Democracy Program and emphasized the involvement of NGO's in individual countries as responsible parties for the execution of the programs. CSCE discussed its plans to work closer with NGO's, to intensify their regional contacts and to focus on dissemination of information

among these groups. The work in the area of rule of law and free elections will be continued. Delegates mentioned the work conducted in Poland by USAID under its Democracy Network program. The USAID has been involved in supporting variety of activities in the area of democracy and democratization, local self-government, rule of law, trade unions, media, health, and entrepreneurship among other programs.

As organizations vary in their missions, in the scope of the activities undertaken, and in the composition of their membership, a close cooperation between them is crucial for effective use of their resources and fulfillment of their objectives. Several delegations in their statements encourage emergence of stronger linkages between international organizations and indicated that where such developments do exist they have been successful. Representatives of international organizations pointed out that one of the reason that there is not enough cooperation and technical assistance is due to limited human and financial resources. Some pointed out that this is a reason why bi-lateral cooperation is declining. All stressed the need for continued cooperation between international organizations through bi-lateral and multi-lateral agreements.

Several participants indicated a need for better exchange and dissemination of information about programs, activities and existing organizations. The urgent need for cooperation between international organizations conducting programs and

activities in Central and Eastern Europe, Baltic Republics and Newly Independent States (EC, Council of Europe, EBRD, UNDP, World Bank) was voiced strongly. A proposal was made by the Romanian delegation to establish a clearing house for exchange and dissemination of information. This initiative could serve as an early, learning mechanism how to cooperate and work together, and therefore to prevent local conflicts. The existing deficiency of information among countries currently establishing their democratic practices was pointed out: for example it was felt that Central and East European countries have more information about West European countries than they have about their neighbors. This was seen as one legacy of the past and will be eliminated in the near future. The need for permanent, rather than periodic flow of information was stressed.

The effectiveness and difficulties with the development and management of international programs were given special attention by the participants of Group 3. It was emphasized that difficulties and problems with which individual countries face vary from country to country and that all groups national minorities, women, different linguistic and religious groups should have a right to participate. It was emphasized that as a first step the attempt should be made to guarantee individual rights, because it already has been stressed in international conventions.

Further discussion evolved toward the use of local experts and the leading role

that they should execute in the design of the particular program. It was stressed that programs designed by foreign experts often lack adequate knowledge about local conditions. The current low use of local experts was seen as a major concern. In this context, questions surrounding differences in market value of local and foreign experts were posed. The implications of existing differences in pay scale and potential for brain drain was mentioned. Another issue raised pointed to the fact that programs developed by international organizations lacks often in flexibility, especially in terms of time and expectations. Work around issues of democratic practices is however very complex and need to emphasize process approach. Often it is not possible to adhere to tight schedule. The execution of a pre-programmed schedule may result in the waist of already limited resources. Finally, it was stressed that in order for the programs and activities to have long-lasting effects and to obtain expected outcomes organizations need to capitalize on the training they do by signing longer-term contracts, emphasizing local involvement in planning and program development, and providing more assistance to emerging NGO's. At the same time, it is up to NGO's and local governments to bring their needs to the attention of international organizations.

Theme 4

Transfrontier Cooperation

Transfrontier cooperation has many

meanings in Europe. Its significance has taken on new proportions since the collapse of the former Soviet Bloc countries. The example of Finland and its territorial agreements with the Republic of Karelia reveal the importance of local government cooperation on both sides of the border. Strong, efficient local governments on both sides contribute to better working relations.

The Council of Europe representative provided the framework for understanding the current background of concern about transfrontier cooperation. Its importance in Europe has many dimensions because of the number of economic and social organizations and international powers throughout the continent. Borders have become scars of history and need surgical intervention to be removed. The Council of Europe position encourages the creation of a tolerant and prosperous Europe that encourages transfrontier cooperation between localities and regions. Its work has focused on giving legal personhood to transfrontier organs so actions can be immediately and legally recognized in domestic legislation. The Council of Europe is also addressing the issue of cooperation between local and regional authorities that do not share common borders but common interests. It also promotes forums to share information at political and legal levels. By preparing documents describing best practice for cooperation and the preparation of cooperative agreements, the Council of Europe educates those involved in transfrontier issues.

Examples of cooperation in the

Netherlands emphasized the importance of the legality of agreements-especially in circumstances where one local government in one nation is stronger than the local government across its neighboring border. A legal treaty helps to insure that central governments will take local interests more seriously. Poland's many borders have encouraged the development of physical planning and development cooperative agreements between many of its neighborhoods. In Sweden, cooperative agreements have promoted the development of understanding between nations rather than standard cultural exchanges.

Europe's geography insures the continued emergence of Euro-regions because of the insistence of local governments who see the need for transfrontier cooperation with neighboring municipalities. Large projects such as housing, infrastructure, and water resources may be too small to implement by a single government entity. Transfrontier cooperation, therefore, can bring together cooperative and empowering resources to resolve regional problems. Those involved in the development of Euro-regions are powerful lobbyists to their national governments in understanding the potentially critical issues related primarily to transfrontier regions rather than nations alone.

The statement of the Assembly of European Regions re-emphasized the comments by the Council of Europe. Representing 250 regions in Europe, there are now many agreements between

municipalities and regions that do not have common borders. Problems arise because municipalities are different sizes, have different tasks and responsibilities as well as power. The Association is working to overcome this by establishing a European wide legal framework for these agreements representing regional interests and promoting regional cooperation.

The discussion then focused on town twinning programs. The participants commented that there are many approaches to twinning. It is not limited to political and cultural exchanges, but can also be celebrations within historical regions, economic and physical planning, relationships of moral and emotional significance, the removal of barriers related to language and ethnicity, and the provision of professional and technical assistance. The representative from Italy reminded the participants that the phenomenon of twinning does not include all aspects of transfrontier cooperative relationships. Many issues are more problematic-i.e. freedom to cross borders when persons speak the same language and share the same cultures.

The European Commission's pilot program on twinning will call for proposals in July 1994 to open up more opportunities for cooperation. The commission emphasizes training, employment, and small economic enterprise zones. Links will also be encouraged for social services.

Many of the participants believed that twinning works better for smaller towns and

communities rather than larger cities. A better chance exists for real programmatic and cultural transfers. Twinning also should not be approached solely in terms of political and economic effectiveness. The Romanian delegate described the importance of moral and emotional ties that have increased the bonds of solidarity between the East and the West. Westerners were not familiar with many of the problems of villages in Romania under the previous regime. The assistance provided since the change in government has opened many opportunities for increased communication and understanding.

In many circumstances, simply pragmatic and common interests come into play. The breakdown of totalitarian regimes has precipitated the collapse of some of these interests but the ties will be rediscovered as new political cultures develop. Another concern is how peaceful cities in Europe can assist those cities presently engaged in armed conflict.

The concept of twinning can also be applied to NGO's. There are many similarities between Eastern and Western organizations that can be strengthened by international cooperation and technical and professional assistance. Opportunities to examine these possibilities will take place in August at the Nordic Forum where many women's organizations in Northern Europe, Central and Eastern Europe will join together. Twinning also can translate into exchanges with schools and universities as well as exchanges with families of different cultures.

Although much understanding emerged about the many different types of transfrontier cooperation, a few participants noted that dangers can also exist. Different power relationships and fiscal constraints do not always contribute to an easing of tensions. Ethnic groups living across borders may be marginalized rather than encouraged to participate in the community in which they live. We need to understand the opportunities as well as the tensions that contribute to issues related to transfrontier cooperation.

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**LOCAL DEMOCRACY
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Local Democracy After Four Years

ODIHR

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