



## Citizen Participation in Local Self-Governance in the Eastern Partnership Countries: Comparative Analysis

The document is prepared by Centre for Strategic Research and Development of Georgia (CSR DG), with the participation of non-governmental organisations from the Eastern Partnership States: Center for Support for Economic Initiatives - Azerbaijan; Communities Finance Officers Association Ngo Armenia - Armenia; Foundation CCC Creative Centre- Ukraine; Institute for Urban Development - Moldova; Lev Sapieha Foundation – Belarus.

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# Citizens' Participation in Local Self-Governance in the Eastern Partnership Countries: Comparative Analysis.

## Introduction:

The decentralisation is one of the milestones of public administration reform and good governance at large. It includes the distribution of public authorities between the different levels of government based on the subsidiarity principle.

The decentralisation reforms and their achievements in the Eastern Partnership (EaP) Countries differ from each other. Despite this, low level of public engagement and participation in the local self-governance still remains a big challenge in the EaP countries. A document, expressing a position of Civil Society Forum of the EaP on issues of public administration reform on local and regional levels in the EaP countries, states the following: "Despite the legal provision for citizen participation mechanisms, their practical application is insignificant, since in a number of cases legislative norms are not supported by relevant mechanisms as established by local governments or are over-bureaucratic, thus, almost any citizen initiative can be blocked; in addition, some country legislations lack even basic mechanisms for citizen participation"<sup>1</sup>.

The current report presents results of a study that had the following objectives:

- To determine common problems, needs, and recommendations for improvement of practices of citizen participation in the local self-governance in the EaP Countries;
- To identify and describe best practices among the EaP Countries in the area of citizen participation in the local self-governance.

The study was carried out within the frameworks of the project "Promotion of Citizens' Participation in the Local Self-Governance in the Eastern Partnership countries". The main goal of the project is strengthening of local democracy and citizen participation in the local governance in the EaP countries, by means of improving practical implementation of their national legislations.

In the present report, "citizens" participation" is viewed as activity comprised of three main components of democratic governance at the local level, in particular, of:

- access to public information;
- direct democracy;
- consultative democracy.

Legal and conceptual frameworks of all these components are determined by international agreements and documents related to the execution of local self-governance, in particular:

- European Charter of Local Self-Government,
- Additional Protocol to the European Charter of local Self-Government on the Right to Participate in the Affairs of a Local Authority,
- Strategy for Innovation and Good Governance at Local Level,
- Recommendation 113 (2002) of the Congress of Local and Regional Authorities of CoE on relations between the public, the local assembly and the executive in local democracy; "The Code of Good Practices of Citizens" Participation".

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<sup>1</sup> A sub-group on Public Administration Reform of the First Group of the EaP Civil Society Forum, a document presenting the position of the Civil Society Forum of the EaP regarding Public Administration Reform (PAR) issues on local and regional levels in the EaP countries, [http://www.eap-csf.eu/assets/files/Downloads/english/RU\\_position\\_paper\\_SWG\\_on\\_PAR.pdf](http://www.eap-csf.eu/assets/files/Downloads/english/RU_position_paper_SWG_on_PAR.pdf) (2011)

## **Access to Public Information**

Citizen participation in local self-governance and the level of their real influence on local decisions considerably depend on how much the State legislation guarantees citizens' access to information existing in the local self-governance. According to the Code of Good Practices for Civil Participation in Decision-making Process, adopted by the conference of NGOs, access to public information is a basis for all subsequent steps in the political decision-making process.

Additional Protocol to the European Charter of Local Self-Government on the Right of to Participate in the Affairs of a Local Authority (2009) underlines the importance of the establishment of procedures for access to official documents held by local authorities.

Recommendation 113 (2002) of the Congress of Local and Regional Authorities of CoE on relations of relations between the public, the local assembly and the executive in local democracy emphasises the importance of citizens' awareness about the development of local democracy. The recommendation states:

- The national legislation of the member States should make it generally compulsory for local authorities to inform the public in advance of their overall policies.
- Maximally wide coverage of the decisions and ongoing discussions related to the community issues (by means of official registries, announcement stands, web-sites, local press, official bulletins of the local self-government bodies, local radio and TV).
- Local assemblies should be holding open meetings, while closed assemblies should be exceptions from the rule.
- In line with the national legislation, local self-government bodies should protect citizens' right on access to administrative documents.

## **Direct Democracy**

According to article 3 of the European Charter on Local Self-Government, existence of representative bodies democratically elected by citizens' in order to carry out self-governance does not rule out holding of citizens' meetings, referendums or any other form of direct civil participation, if it is permitted by statute.

In its recommendation 113 (2002) regarding application of the article 3.2 of the Charter, based on the 5th common report about monitoring the implementation of the European Charter on Local Self-Government, the Congress of Local and Regional Authorities emphasises that, whenever possible and for every occasion, referendums should be held on important issues representing high interest of the local public. This consultation form envisages a procedure, by which local public will have to make a decision mandatory to the local self-government.

According to the Additional Protocol to the European Charter of Local Self-Government on the Right to Participate in the Affairs of the Local Authority (2009), local referendums and petitions should be guaranteed as means to ensure citizens' right on the participation in the self-governance.

## **Consultative Democracy**

In its recommendation 113 (2002) regarding application of the article 3.2 of the Charter, based on the 5th common report about monitoring the implementation of the European Charter on Local Self-Governance, the Congress of Local and Regional Authorities emphasises that consultations with the public could be applied for less relevant issues. Within this procedure, the public is only offered to express its opinion, which is not binding for the local elected official, who, in such cases, makes the final decisions.

According to the Additional Protocol to the European Charter of Local Self-Government on the right to Participate in the Affairs of a Local Authority (2009), during the planning and decision-making processes regarding the measures to be passed, in order to execute the right to participate in the activities of the local self-government, it is necessary to the maximum way possible to consult local authorities in the right time and the appropriate way.

## Methodology

The presented study applied qualitative methods of analysis: carrying out comparative analysis of the legislations of the EaP countries in the area of citizens' participation in the local self-governance, expert interviews, as well as a survey of representatives of local non-governmental organisations (NGOs) and local self-government bodies of EaP countries.

One expert from each EaP State (a total of six experts) filled out specially-designed questionnaires on the evaluation of the legislation regulating citizens' participation on the local level in the EaP countries (See Annex 1).

Besides, five NGOs and five local self-government bodies were selected from each EaP State, and their representatives completed another specially designed questionnaire to evaluate the quality of citizen participation in the local self-government in the EaP countries (see Annex 2). Belarus was an exception, where eight NGOs and two representatives of self-government bodies took part in the survey. Thus, 60 respondents provided completed questionnaires (Annex 3 - respondents by the States and sectors), that later on were analysed and generalised. Main findings and recommendations were developed based on the processed data obtained by the survey.

The report also presents best practices of citizens' participation in the local self-governance in the EaP countries. The mentioned cases are described and provided by the experts participating in the study from the EaP countries.

Considering important differences between the EaP countries with regards to their administrative-territorial arrangement, this study was focused on the first level of the local self-government, as well as the second level of self-government (in those EaP countries where such a level of local self-government exists), excluding the level of regions, whose legitimating source is the public residing in the respective administrative units.

It should also be noted that the study was not focused on such component as representative democracy.

## 1. Legislation Analysis

### 1.1 Access to Public Information

#### **Publicity of assemblies of local self-government representative bodies**

Legislations of Armenia, Belarus, Moldova, Georgia and Ukraine have established a requirement for the local self-government representative bodies to hold open assemblies, with Azerbaijan legislation being the only exception, which does not have such requirement for municipalities. The same could be said about preliminary announcement of information (agenda, time and location) about the assembly. This requirement is envisaged in the legislations of all above mentioned member-states of the Eastern Partnership, except for Azerbaijan.

As for legislative bases for holding closed sessions of the representative body, they are somewhat different for all EaP member-States. For example, the legislation of Moldova does not allow a possibility of holding closed sessions. According to the Georgian legislation, a session can only be closed if a State, commercial or private secret issue is on the agenda. In all other cases, holding a closed sessions is banned. In Armenia, Belarus and Ukraine, representative bodies can act at their sole discretion with regards to this issue. A session might be closed without having any specific conditions ("in case of a necessity", "in some cases"), if such a decision is made by 2/3 of the members of the representative body (Armenia), or by a simple majority (Belarus, Ukraine).

### **Informing of citizens' by local self-government**

Access to the official documents of the self-government body is guaranteed by the Constitutions of all EaP countries. Also, as a rule, legislations of the EaP countries establish procedures and terms for requesting by the citizens' and receiving public information from the local self-government bodies.

### **Informing the citizens' on the planned/implemented local policies**

Legislations of some of the member-State provide norms requiring preliminarily notification of citizens' about the planned local policies. Besides, it should be taken into account that, by countries, documents of such policies have somewhat different titles, volume, status and contents. For example, Four year strategic plans (Armenia); Draft budget, which, along with other information, contains mid-term priorities outlined in the priority document of the local self-government (Georgia); Programs and strategies (Moldova); Drafts of local regulatory acts (Ukraine).

### **Publication of draft decisions**

According to the legislations of most of the EaP member-States, local self-government bodies are obliged to publish their draft decisions ahead of time. Legislations of Moldova and Belarus do not establish direct obligations for publishing such drafts. According to the Moldovan legislation, a body, passing a decision, must submit a draft decision to the interest groups. As for Belarus, it is established to inform the citizens' about the issues that are on the agenda of the self-government representative body, which, does not “a priori” imply to preliminary publication of the drafts or even an obligation to inform the interest groups.

Legislative norms, related to the timelines of publishing the draft decisions, are different. For example, Ukrainian legislation establishes a 20 day period for preliminary publication of the draft decisions, whereas legislations of Azerbaijan, Armenia and Georgia do not establish such specific terms (not to count the timeline for publishing local draft budget).

### **Publication of the passed decisions**

Obligation to publish the passed decisions is established in the legislations of all EaP member-States. Moreover, in a number of cases, the issue of enacting legislative acts is linked to its publication. However, in case of Belarus, similarly as in the case of publishing the draft decisions, the legislation does not directly indicate about the obligation for publishing the documents, but in general terms, as the competence of the Presidium of the Council, considers informing citizens' about the passed decisions.

A norm of the administrative legislation of Moldova is worth mentioning. According to it, all administrative offices are obliged to publish reports on the transparency of decision making processes. The report should contain information on the number of decisions, received recommendations, consultative meetings, public hearings and open assemblies, actions of public agencies or appealed decisions, sanctions against violations, requirements about the transparency of the passed decisions.

### **Forms of informing citizens' by local governments**

With regards to applying various forms of informing citizens', legislations of the EaP member-States provide norms of mandatory and non-mandatory character. As a rule, legislations of majority of the EaP member-States determine one or maximum two mandatory forms of informing citizens', while application of other forms of informing is formulated as optional for the self-government bodies. For example:

- The legislation of Azerbaijan determines that agencies should publish public information on their official web-sites. However, it can also be published through the Media, in official publications, libraries, and public information centres.

- According to Armenian legislation, information about assemblies of the self-government representative body should be announced in the building of the respective body and in other public places accessible to the population (a minimum of one announcement on every two thousand residents is required). Wherever possible, such announcements can be additionally distributed by the Media and through the Internet.
- In case of Georgia, information on the draft decisions, passed decisions, appeal timelines and procedures, local government representative body sessions, should be published in the local Media or in line with requirements established by the representative body.
- The legislation of Moldova requires that public authority bodies provide access to the adopted decisions by means of releasing them on their official web-sites, placing announcements in public areas and/or, depending on circumstances, by dissemination of information through Central or local media, as well as other ways stipulated by the law.
- The legislation of Ukraine outlines that the forms of publishing the adopted decisions and official information are determined by the regulations of the local self-government bodies. However, if a local self-government body has its own web-site, it is obliged to publish its decisions through this as well.
- The legislation of Belarus emphasises only one form of informing citizens' - a representative body member's report to its constituencies.

## 1.2 Direct Democracy

### Local Referendum

The right of direct citizens' participation in the execution of local self-governance, in the form of local referendum, is determined by the legislations of four EaP member-States: Armenia, Belarus, Moldova and Ukraine. Among them, Armenia, Belarus and Ukraine this right to hold local referendums is guaranteed by the main law of the country - the Constitution.

Azerbaijan legislation allows local public opinion survey, which, in essence, can be considered a non-mandatory referendum (e.g. plebiscite), for example similar to the case of local referendum in Belarus.

Georgia is an exception from the member-States. Legislation of this country does not consider a referendum as a form of direct citizen participation in making local level decisions (with binding or non-binding results).

Table 1 presents basic characteristics attributed to local referendums, by the EaP countries.

***Table 1. Basic characteristics of local referendums in the Eastern Partnership States***

State	Legislation norms	Mandatory referendum	Initiating to hold a referendum	Referendum issue/topic	Binding nature of the outcomes
<b>Armenia</b>	The Constitution of the Republic of Armenia;  Law on local self-governance;  Law on local referendum	No, unless an issue related to border changes between administrative-territorial units of local self-government	Municipal Council;  Head of municipality;  5% of the voters residing in the respective territory;  The Government of Armenia on the issues of merging and splitting up self-governed territorial units	Any issue under the competence of self-government, except for exclusive and delegated competences of the self-government, issues related to fundamental rights, special issues (budget, municipal property, cadre issues, etc.)	Binding, except for the outcomes of a referendum on changes of borders between administrative-territorial units of local self-government.
<b>Azerbaijan</b>	Law of Azerbaijan on the status of municipalities;  Law of Azerbaijan on local public opinion survey	No	Municipal body  10% of the total number of voters residing on the territory of a municipality.	Issues of local nature, delegated by the Constitution and legislation of the Republic of Azerbaijan to the authorities of municipalities	Consultative / not binding

<b>Belarus</b>	The Constitution of the Republic of Belarus;  Law on local governance and self-governance in the Republic of Belarus;  Election code of the Republic of Belarus	No	5% of the total number of voters residing on the respective territory.	Issues of utmost importance for residents of the respective administrative-territorial units and delegated to the competence of the respective Boards. Except for the issues that can result in the disintegration of territorial integrity of the country; passing and amending the budget; introducing, changing and cutting taxes; issues regulated with legislative acts; cadre issues.	Consultative / not binding  Juridical power of the local referendum outcome is determined in the local Council decision on calling the referendum.
<b>Georgia</b>	Not determined	Not determined	Not determined	Not determined	Not determined
<b>Moldova</b>	Election code  Law on the local public administration  Law on decision making transparency	No	1/2 of the elected representatives;  By the Primar;  representative body of an administrative-territorial unit with a special status;  10% of the voters residing in the respective territory.	Issues of utmost importance for residents of the respective settlement and considered to be under the competence of the local bodies of public administration. Recall of the Primar.  Issues related to the following cannot be subject of a local referendum: taxes and the budget; urgent or extraordinary measures; changing administrative-territorial subordination of the settlements.	Consultative / not binding  But, if a decision made through a local referendum has not been rejected also by another local referendum or by two thirds of the local Council members, it acquires unconditional power.
<b>Ukraine</b>	The Constitution of Ukraine;  Law of the Ukraine on the local self-governance in Ukraine;  Law of Ukraine on all-Ukrainian and local referendums	It is mandatory in the cases stipulated by the law	Local Council, upon the request of no less than 1/2 of the representatives;  By 1/10 of the citizens of Ukraine, permanently residing on the respective territory and having the right to vote in a referendum.	Any issue that, according to the legislation, is under the competence of the local government; Mandatory issues: giving or changing names to village Councils, villages, towns and cities, districts and oblasts; issues on merging administrative-territorial units of the same name, and with the same administrative centre; issues on changing the base level of the local self-government in rural districts; issues on the reorganisation or abolishment of pre-school educational facilities created by former agricultural groups and State farms.	Binding

As seen in the Table, the legislations of Armenia and Ukraine determine the outcomes of the local referendums to be mandatory for the local authorities<sup>2</sup>. Besides, unlike other member-States, Ukrainian legislation provides an exclusive list of local issues that need to be decided through referendums only.

In case of Azerbaijan, Belarus and Moldova, outcomes of the local referendums are not mandatory, e.g. have only consultative nature. However, compared to Azerbaijan and Belarus, local referendums in Moldova are

<sup>2</sup> In case of Armenia this does not imply to outcomes of referendums on issues related to merging of territorial units.

considerably closer to the real status, because, referendum outcomes have unconditional power, unless cancelled by a similar referendum or 2/3 of the self-government representative body members.

Concerning those to initiate a referendum, Armenia, Azerbaijan, Moldova and Ukraine allow different versions, e.g. both - local Government-initiated referendum, as well as citizen-initiated referendum. As for Belarus, the referendums here are exclusively citizen-initiated.

### **Local Initiative of Citizens' (Petition)**

Citizens' initiative is their right to make an initiative (on a decision, making amendments to adopted decisions, cancelling adopted decisions, etc.) by means of submitting a petition in the local self-government body<sup>3</sup>. This implies to initiating a desirable proposal/decision, which is submitted to the local self-government body for consideration. Final decision on the issue is made by the self-government representative body. Unlike a referendum, the right for a petition does not imply to a general census of the citizens' in order to make a decision on the initiated issue.

Citizens' right to make local initiatives by means of submitting a petition is guaranteed by the legislations of four EaP member-States (Azerbaijan, Belarus, Georgia and Ukraine). In Armenia, this right is enjoyed only by the residents of the capital city. As a rule, in the above mentioned States, local self-government bodies have a considerable discretion with respect to executing the right on petition, meaning that the procedures for submitting and considering an initiative are determined by self-government body regulations. Georgian legislation provides relatively wide regulation of the norms related to such procedures. In particular, a project, submitted by means of a petition, can be initiated by no less than 1% of voters registered in a territorial self-governed unit. Also, the law determines the body to register the petitions (apparatus of the representative body), and timelines for their consideration (30 days as of registering a petition).

Citizens' local initiative (which in the present document is different than a referendum) is not envisaged by the legislation of Moldova, with the exception for temporary and permanent work groups that are created by local government bodies for the development and consulting on separate draft decisions.

### **Local Assembly**

Calling a local assembly, as a form of direct involvement of citizens' in the local self-governance, is stipulated in the legislations of Azerbaijan, Belarus and Ukraine.

In Azerbaijan, citizens' assemblies are allowed as a possible alternative to municipal representative bodies in those municipalities where population is under 500 people. The assembly is authorised to make, amend or cancel municipal resolutions and other legislative acts of local importance. Citizens' assembly is authorised to pass decisions if attended by no less than 25% of the voters residing on the territory. The first citizens' assembly is called by the initiative group. The rules for creating an initiative group, and calling and holding citizens' assemblies are regulated by the respective instruction of the Central Election Commission of the Republic of Azerbaijan.

In Ukraine and Belarus, decisions passed on local (general) assemblies have only consultative nature for the local self-governments, in other words, are not mandatory. As for the procedures for calling local assemblies and passing the decisions, in Belarus, these issues are regulated by a special law, while in Ukraine they are completely at a discretion of local authorities.

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<sup>3</sup> In Moldova, according to the legislation, any request, complaint, appeal submitted to respective competent bodies is considered as a petition, including a preliminary application to protest against an administrative act or inconsideration within a determined time period.



## 1.3 Preliminary Consultations with the Public

### Mandatory Consultations with the Public

Holding mandatory consultations with citizens' during the process of passing local decisions is stipulated by the legislations of most of the EaP member-States. Main differences are, on the one hand, related to the specifics of the norms on determining the procedures, and, on the other hand, to the areas (issues) on which consultations are mandatory.

The administrative-procedural legislations of Georgia and Moldova provide citizens' right to express in a written form their comments, recommendations and suggestions to draft decisions to be passed by the local self-government representative bodies. Consideration of these written statements is mandatory. The legislations also establish basic procedures related to the execution of this right (publication of information about the beginning of the process to draft a decision, ensuring publicity of the project, etc). Besides, legislation of these countries foresee that holding of Stakeholder consultations in the form of public discussions (Georgia), public hearings, opinion polls, referendums and other forms (Moldova) are guaranteed.

Ukrainian legislation also provides mandatory procedures for adopting and considering citizens' proposals and comments when passing regulatory acts of local importance in the area of economic activity. These imply to the acts establishing utility, land and other tariffs, determining taxes and fees, purpose of water supplier, etc. Every draft regulatory act is published in order to get citizens' feedback. The timeline for receiving the feedback is determined by the developer of the regulating act and cannot be less than a month or exceeding three months from the date of publishing the draft.

According to the legislation of Belarus, the supreme board of the initiative body (Presidium) organises citizen discussions of the Board's drafts decisions, ensures wide participation of citizens' in the development, passing and implementation of the Board decisions on the local issues. Despite its general nature, the given norm is mandatory for implementation and applies to all draft decisions of the Board.

Armenian legislation stipulates carrying out mandatory consultations with citizens' by the local self-governments on the issues related to urban development. The citizens' have a right to participate in discussions on urban construction and development projects before their final approval, make amendments, suggestions, submit alternative projects and programs. The regulations on citizen participation in the discussions of the published urban development programs and projects are determined in a centralised way by the Government of Armenia.

### Creation of Civil Advisory Bodies (Councils)

The legislations of the EaP member-States do not provide a mandatory requirement on creating civil advisory bodies at the local self-governments. Permissive-recommending norms on the creation of such consultative bodies are present in some of the EaP member-States. For example, in the capital of Armenia, at the initiative of the Mayor of Yerevan, the representative body has a right to create a consultative Board, determine its authorisations and activity regulations. By the legislation of Moldova, in order to hold consultations with the Stakeholders, local authorities can create permanent or temporary work groups with the participation of the civil society representatives. According to a Decree of the Ukrainian Government, local self-government bodies are recommended to create public boards as consultative-advisory bodies.

The legislation of Azerbaijan determines that local residents of various settlements have a right to create neighbourhood committees at their own initiative. A special law stipulates authorisations of the committee, its election and activity rules. Within one month, the municipality should reply to the comments, suggestions and proposals submitted by the respective neighbourhood committee. Opinions of the neighbourhood committees are considered by the municipalities when adopting their decisions.

Besides, quite often, commitments on creation of public-consultative bodies are set forth in the regulations of local self-government bodies, while such commitments are not foreseen by the law. These are cases, when self-government representative bodies voluntarily establish high standards of ensuring citizen participation. For example, regulations of some local self-governments of the Ukraine and Georgia directly require mandatory creation of such public boards as “Public Darbazi”, youth boards, and coordination boards with city halls or representative bodies, on certain policy issues, etc.

## **2. Analysis of the Level of Citizens' Participation in the Local Self-Governance of the EaP Countries**

### **Introductory Notes**

The special survey was intended to size up the opinion of local NGOs and municipalities in the EaP countries about the existing environment for citizens' participation in local governance, including:

- Active laws and regulations on citizens' participation in the local self-governance
- Implementation and practical application of the respective legislation
- Existing mechanisms and forms of direct democracy
- Existing mechanisms and forms of consultative democracy
- Extents and impact of preliminary consultations in the decision making process
- Effectiveness of local programs, guidelines and regulations on citizen participation
- Provision of budgetary resources for the programs and events in the area of citizens' participation
- Skills and readiness of municipal servants for implementation of citizens' participation programs
- The level of activeness of local citizens', NGOs and Stakeholders
- Access to public information
- Capability of local self-government bodies to react on local needs
- Application of innovative platforms for citizen participation
- Extent of effect of citizens' participation on local self-government decisions
- Importance of citizens' participation as a priority of the local authorities

Besides, analysis of favourable and unfavourable factors for effective citizens' participation in the local self-governance was performed, and common problems, as well as expectations regarding new forms and mechanisms for improved citizen participation were identified.

### **1.1. Main Results**

In majority of the EaP member-States, respondents, who filled out the questionnaire, identified the following favourable factors:

- Civil sector development; existence of certain legislative guarantees on the citizens' right on participation; projects supported by international donors; and increasing civil consciousness.

The respondents also identified evident challenges/ unfavourable factors:

- Lack of specific legislative framework; lack of effective mechanisms for citizens' participation; lack of respective political culture; insufficient application of some of the existing forms / instruments of consultative democracy; Lack of local programs on citizen participation and adequate financial resources; lack of decentralisation; limited access to public information.

In addition, it is necessary to point out some specific problems, on which the respondents' opinions have split, as well as some problems characteristic only to certain EaP member-States:

- Political willingness of National and sub-National authorities;
- Over centralized governance and respective practices;
- Corruption in public sector;
- The level of social capital and social development;
- Activeness of the civil society sector, local population and Stakeholders;
- Availability of innovative technical platforms for citizens' participation.

Regarding necessary policies or initiatives to strengthen citizens' participation on the local level, the following most relevant and general expectations have been expressed:

- Adoption of a special law on citizens' participation in the local self-governance
- Harmonisation of the respective national legislation with respective acts of the European Council
- Development of accurate regulations regarding the local authorities and the citizens' functions and responsibilities in the process of citizens' participation
- Bringing the local regulations and by-laws in line with the national norms on citizens' participation
- Stimulation and promotion of citizens' participation on various stages of local policy formation and implementation
- Introduction of modern structures and procedures of participation for passing the decisions on the local levels
- Promotion of partnership, active citizenship and joint planning campaigns
- More active introduction of civic education programs
- Raising of municipal servants' qualification in the area of application of practices and forms of the procedures on citizens' participation
- Allocation of necessary budgetary resources for the implementation of basic programs of citizens' participation

## 1.2. Existing Environment for Citizens' Participation in the Local Self-Governance

Based on the responses obtained from local NGOs and municipalities, the existing environment for citizens' participation in the EaP respective countries is seen to be quiet moderate.

Assessment of citizens' participation environment by local NGOs and municipalities:

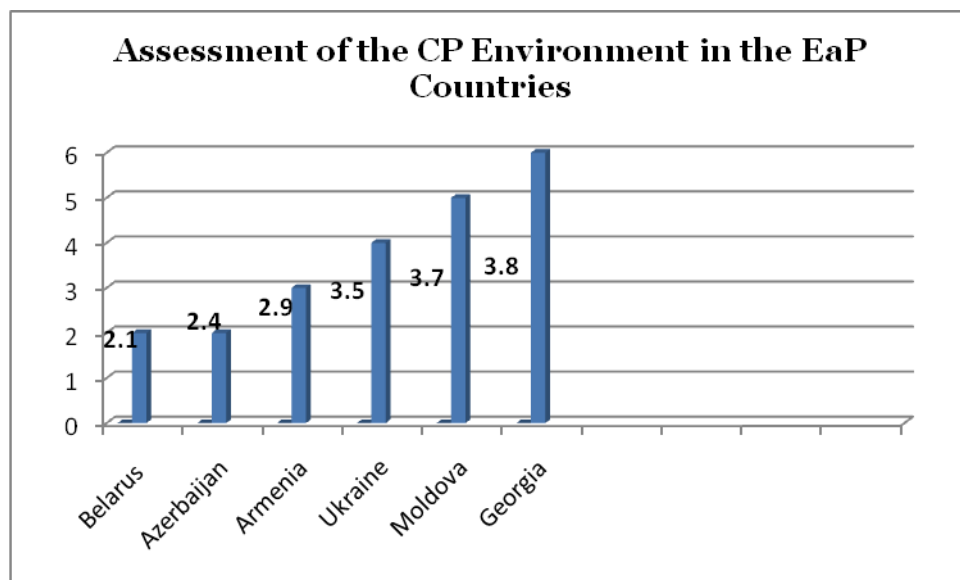
	Local NGOs and municipalities, N=60 (on a scale from 1 to 6, with 1 being the lowest score and 6 - the highest score)
Citizens' participation in local governance is supported by a special law (s)	Armenia (1.8), Azerbaijan (3.3), Belarus (3.3), Georgia (4.9), Moldova (5.3), Ukraine (4.5)
Citizens' participation is supported by respective regulations of local self-governments	Armenia (2.8), Azerbaijan (2.4), Belarus (2.6), Georgia (4.9), Moldova (4.6), Ukraine (4.4)
Laws and regulations on citizens' participation are implemented effectively	Armenia (2.7), Azerbaijan (2.5), Belarus (1.8), Georgia (3.7), Moldova (3.2), Ukraine (2.9)
Citizens' may attend all local council hearings	Armenia (5.5), Azerbaijan (3.1), Belarus (2.8), Georgia (5.0), Moldova (5.5), Ukraine (4.5)
Citizens' are effectively pre-informed on the dates and exact time of the local council hearings	Armenia (3.7), Azerbaijan (2.3), Belarus (3.0), Georgia (4.1), Moldova (4.8), Ukraine (4.2)
Citizens' are informed about draft projects / programs / initiatives to be considered by local council	Armenia (3.2), Azerbaijan (2.5), Belarus (2.5), Georgia (3.6), Moldova (4.7), Ukraine (3.9)
Local Council hearings have clearly established goals and respective agendas	Armenia (4.2), Azerbaijan (3.6), Belarus (3.0), Georgia (4.8), Moldova (5.4), Ukraine (4.6)
The number of citizens' attending and participating in local council hearings is satisfactory	Armenia (2.2), Azerbaijan (1.5), Belarus (1.4), Georgia (3.0), Moldova (2.1), Ukraine (2.8)
Forms and mechanisms of direct democracy are applied on the local level	Armenia (2.7), Azerbaijan (1.8), Belarus (1.7), Georgia (3.2), Moldova (3.2), Ukraine (3.1)
The right to exercise petition rule is frequently applied by citizens' / interest groups	Armenia (1.9), Azerbaijan (1.9), Belarus (1.9), Georgia (1.8), Moldova (4.5), Ukraine (2.9)
Forms and mechanisms of consultative democracy are applied on the local level	Armenia (2.4), Azerbaijan (2.2), Belarus (1.8), Georgia (3.7), Moldova (3.4), Ukraine (3.0)
Forms of preliminary consultations with citizens' are typically applied by local authorities during a decision-making processes	Armenia (2.6), Azerbaijan (2.1), Belarus (2.0), Georgia (3.5), Moldova (2.9), Ukraine (3.0)
Citizens' / interest groups are active in the process of preliminary consultations with local authorities	Armenia (2.6), Azerbaijan (1.9), Belarus (1.6), Georgia (3.4), Moldova (2.5), Ukraine (3.1)
Citizens' / interest groups have considerable effect during the process of preliminary consultations with local authorities	Armenia (2.6), Azerbaijan (1.9), Belarus (1.4), Georgia (3.1), Moldova (3.2), Ukraine (3.2)
Special local programs, guidelines and instructions on citizens' participation are developed and effectively applied	Armenia (2.8), Azerbaijan (1.7), Belarus (1.4), Georgia (3.0), Moldova (2.8), Ukraine (2.6)
Allocated resources are sufficient for the implementation of programs / activities on citizen participation	Armenia (2.0), Azerbaijan (1.2), Belarus (1.2), Georgia (3.2), Moldova (1.5), Ukraine (1.9)
Local officials and public servants are trained to implement citizen participation programs	Armenia (3.1), Azerbaijan (2.1), Belarus (1.1), Georgia (3.5), Moldova (4.3), Ukraine (3.5)
Easy access to public information; procedures to access official documents held by local authorities are streamlined and effectively observed	Armenia (3.8), Azerbaijan (2.6), Belarus (1.6), Georgia (3.4), Moldova (3.6), Ukraine (4.0)
Local public servants responsible for providing public information are identified and easily accessible	Armenia (3.5), Azerbaijan (2.6), Belarus (2.4), Georgia (4.4), Moldova (4.1), Ukraine (3.8)
Citizen reception hours are officially set and practically applied	Armenia (4.3), Azerbaijan (3.5), Belarus (4.3), Georgia (4.8), Moldova (5.1), Ukraine (4.6)

Citizens' are well informed on the initiatives, respective debates and decisions of the local government through the local media, web-pages of the local government, awareness raising campaigns or other means	Armenia (3.5), Azerbaijan (2.7), Belarus (2.3), Georgia (4.3), Moldova (3.9), Ukraine (4.4)
Local council members periodically present results of their work to local constituency	Armenia (2.1), Azerbaijan (3.1), Belarus (2.2), Georgia (4.0), Moldova (2.2), Ukraine (3.8)
Mechanisms / procedures for discussing and responding to complaints and suggestions regarding the functioning of local authorities and local services are streamlined and applied effectively	Armenia (2.7), Azerbaijan (2.4), Belarus (2.0), Georgia (3.5), Moldova (4.1), Ukraine (3.4)
Extent of ultimate effect of citizens' participation in local self-government decisions is considerable	Armenia (2.4), Azerbaijan (2.1), Belarus (1.4), Georgia (3.6), Moldova (2.9), Ukraine (3.2)
Citizen participation and participatory decision-making are among top priorities of local authorities	Armenia (3.5), Azerbaijan (2.2), Belarus (1.5), Georgia (3.8), Moldova (3.6), Ukraine (3.0)

Aggregated scores by each component reflect the integral score of the citizen participation environment. Thus, the aggregated score for each EaP State is as follows (1 - the lowest score, 6 - the highest score):

- ✚ Armenia - 2.9
- ✚ Azerbaijan - 2.4
- ✚ Belarus - 2.1
- ✚ Georgia - 3.8
- ✚ Moldova - 3.7
- ✚ Ukraine - 3.5

Chart. 1:



It should be noted that NGO assessment scores of the citizens' participation environment are considerably lower, than those of the municipalities. If the assessment were based only on the scores given by the respondents from the surveyed NGOs, overall scores for all countries would be much lower.

The respondents also identified favourable and unfavourable factors for the improvement of citizens' participation in their respective countries.

The most frequently mentioned favourable factors are (based in the responses provided to the open-ended questions):

## Armenia

	Favourable Factors
1	Developing civil sector
2	Increasing cooperation between the civil and State sectors
3	Increased public awareness

## Azerbaijan

	Favourable Factors
1	Developing civil sector
2	Increased public interest
3	Favourable base legislation

## Belarus

	Favourable Factors
1	Main technical preconditions
2	Citizens' activeness

## Georgia

	Favourable Factors
1	Developing civil sector and local Media
2	Favourable legislation
3	Readiness of local governments

## Moldova

	Favourable Factors
1	Developing civil sector and assistance from donors
2	Success stories of citizens' participation
3	Favourable legislation

## Ukraine

	Favourable Factors	N=7	N=7 %
1	Developing civil sector	3	42,86%
2	More active and better informed citizens'	3	42,86%

At the same time, the most frequently mentioned unfavourable factors for citizens' participation (based on the responses to the open-ended question) are:

## Armenia

	Unfavourable factors
1	Low awareness of citizens' on their rights
2	Lack of respective legislative system
3	Lack of effective mechanisms for citizens' participation
4	Limited publicity and access to public information
5	Lack of public trust to the authorities
6	Low levels of social capital and development

## Azerbaijan

	Unfavourable factors
1	Weak local governance and the lack of decentralisation
2	Lack of respective legislative system
3	Lack of public trust to the authorities
4	Lack of budgetary resources for local civil participation programs
5	Lack of publicity and transparency
6	Low awareness of citizens' on their rights

## Belarus

	Unfavourable factors
1	Excessive centralisation of governance
2	Unresponsive and unsupportive authorities
3	Lack of respective legislative system
4	Undeveloped civil sector
5	Passiveness of citizens'
6	Lack of financial resources

## Georgia

	Unfavourable factors
1	Lack of citizen activeness
2	Lack of political readiness
3	Insufficient information
4	Insufficiently developed civil sector
5	Deficiencies of the legislation system

## Moldova

	Unfavourable factors
1	Lack of readiness of local authorities
2	Passive citizens'
3	Low activeness of citizens' and limited access to information
4	Insufficiently developed legislation system
5	Corruption in the State sector
6	Lack of financial resources

## Ukraine

	Unfavourable factors
1	Lack of respective political will
2	Insufficiently developed legislative system
3	Low activeness of citizens' and limited access to certain type of information
4	Passiveness of citizens'
5	Distrust of the Government
6	Lack of financial resources
7	Corruption

### 1.3. Specific Issues, Evaluation of Mechanisms and Forms of Direct and Consultative Democracies

The questionnaire contained specific questions on the evaluation of the forms and mechanisms of direct and consultative democracies.

Respondents from respective EaP countries assessed mechanisms and forms of direct democracy:

- ✚ Armenia - 2.7 out of 6
- ✚ Azerbaijan - 1.8 out of 6
- ✚ Belarus - 1.7 out of 6
- ✚ Georgia - 3.2 out of 6
- ✚ Moldova - 3.2 out of 6
- ✚ Ukraine - 3.1 out of 6

Respondents from respective EaP countries assessed mechanisms and forms of consultative democracy:

- ✚ Armenia - 2.4 out of 6
- ✚ Azerbaijan - 2.2 out of 6
- ✚ Belarus - 1.8 out of 6
- ✚ Georgia - 3.7 out of 6
- ✚ Moldova - 3.4 out of 6
- ✚ Ukraine - 3.0 out of 6



Respondents from respective EaP countries assessed the application of the form of preliminary consultations with citizens' during decision-making process:

- ✚ Armenia - 2.6 out of 6
- ✚ Azerbaijan - 2.1 out of 6
- ✚ Belarus - 2.0 out of 6
- ✚ Georgia - 3.5 out of 6
- ✚ Moldova - 2.9 out of 6
- ✚ Ukraine - 3.0 out of 6

The questionnaire also contained a number of additional questions for studying the respondents' awareness and opinions in a more open way.

To the last question - "Generally, do you consider the quality of citizens' participation in the local decision-making satisfactory?" - the provided responses differed across the surveyed countries as follows:

- ✚ None of the respondents in Armenia answered positively
- ✚ None of the respondents in Azerbaijan answered positively
- ✚ 10% of the respondents in Belarus answered positively
- ✚ 40% of the respondents in Georgia answered positively
- ✚ 10% of the respondents in Moldova answered positively
- ✚ None of the respondents in the Ukraine answered positively

In total, only 10% of the respondents in the EaP countries consider the quality of citizens' participation in the local decision-making processes as satisfactory.

#### **1.4. Common Challenges, Expectations Regarding the Improvement of the Situation on Citizens' Participation**

The study results demonstrate, that despite the presence of certain favourable factors for citizens' participation in some of EaP countries, general civil participation level is lower than the established democratic standards provided in the European Charter of Local Self-Government; Additional protocol to the European Charter on local self-government on the right to participate in the affairs of a local authority; the Strategy for Innovation and Good Governance at Local Level; Recommendation 113 (2002) of the Congress of Local and Regional Authorities of CoE on relations between the public, the local assembly and the executive in local democracy; the Code of Good Practices for Civil Participation.

Current situation with regards to citizens' participation in these countries is characterised with certain problems from both points of view - legislative system, as well as practical application of mechanisms, forms and procedures of citizens' participation in local governance.

The responses provided during the study make it possible to conclude, that more voluminous and complex efforts are necessary for considerable improvement of the quality of local democracy and citizens' participation in local governance.

The study revealed certain expectations and recommendations of the respondents regarding the improvement of the existing situation.

### Expectations regarding the legislation:

- Improvement of the legislation in the area of citizens' participation;
- Harmonisation of the civil participation related regulations with the European Charter of Local Self-Government; Additional Protocol to the European Charter on local self-government on the right to participate in the affairs of a local authority; Strategy of innovation and good governance on local level; Recommendation 113 (2002) of the Congress of local and regional authorities of CoE on relations between the public, the local assemblies and the executive bodies in local democracy; the Code for good practices for civil participation;
- Passing of a special law that will introduce applicable forms, effective mechanisms and procedures for citizens' participation;
- Adoption by local authorities of respective regulations, additional legislative acts, more detailed and simple instructions;
- Elaboration of clear legislative norms regarding the functions and responsibilities of local authorities and citizens' in the participation process;
- Legislative securing to provide minimal budgetary resources for implementing citizens' participation programs and events;
- Greater decentralisation, improvement of the normative base of the local self-governance, and effective institutionalisation of civil participation.

Examples of some of the obtained quotes on the respondents' expectations:

"Fulfilment of the Recommendations of the European Charter on Local Self-Governance"

"Elaboration and passing of legislative and institutional bases for participation... Passing of new legislative acts on forms, clear mechanisms and procedures of citizens' participation"

"Adoption of special normative acts ensuring the possibility of civil participation in decision-making, including the possibility of providing finances for initiatives from the local budget"

"Making amendments in the legislation on local self-governance in the area of clear regulations on holding public hearings, submitting a petition, holding residents meetings"

"Local authorities should elaborate subordinate regulatory acts on citizens' participation"

"Passing of normative acts on local level (rules, regulations)... For example, recommendations on the legal regulation of public councils"

"Laws and subordinate regulatory acts should consider invalidity (to some extent) of the decisions passed by local councils without consultations with citizens' (at least, regarding the draft budget and budget implementation reports; any decisions on privatisation, on making contracts; any decisions where a potential conflict of interests might arise)"

"Introduction of electiveness of the heads of local administrations... Direct elections of the heads of administrative-territorial units"

"The legislation should oblige the authorities to spend a certain percentage of the budget for these purposes"

"To introduce a mechanism of recalling local authorities that are not accountable to the citizens', or do not consider their opinions and interests"

"A law on holding local referendums, passing charters by the cities"

"Legislative acts should be in line with modern requirements and consider trends of society development, local governance system and information technologies".

"Elaborate a law regulating electronic voting, digital signature, electronic circulation of documents, submission of electronic petitions, requests, etc."

"Providing additional financial resources to the municipalities."

Expectations and recommendations regarding additional initiatives, practical mechanisms, forms and procedures for the improvement of citizens' participation:

- In general, strengthen the efforts to achieve a greater decentralisation and political activation of citizens' participation in local governance
- Sharing and spreading of the existing international experience
- Introduction of programs on the advanced civil participation experience; support of the development of success stories on the ground
- Development and application of modern methodologies of participatory governance on local level
- Active encouragement and promotion of citizens' involvement on various stages of a political cycle and decision-making
- Encouragement and development of consultative Councils and participation structures<sup>4</sup> for an inclusive process of decision-making; creation and activation of civil councils on local levels
- Creation of debate clubs, information centres and centres for citizens' inclusions
- Encouragement of partnership and campaigns for proactive citizens'hip, joint planning and management of local public wealth and finances
- Intensification of civic education programs
- Raising public awareness on their rights and the affairs of local authorities; strengthening of information campaigns and application of modern technologies
- Raising journalist education level in the area of local governance and citizens' participation
- Raising of qualification of municipal public servants in the area of citizens' participation, application of civil participation forms and procedures; promotion and introduction of a unified State practice for their training and re-training
- Allocation of necessary budgetary resources for the implementation of the main programs in citizens' participation

Besides, respondents provided the following suggestions and concrete recommendations:

- For citizens' inclusion in decision-making processes on local levels, it is better to apply innovative instruments, communication means and technologies; creation of an interactive internet-platform and application of hot-lines for processing citizens' suggestions and/or complaints regarding the operations of local authorities and local services
- Dissemination of preliminary as well as full information among citizens' on the issues resolved by local authorities
- Pre-informing of citizens' on the local council agenda
- Holding "open" assemblies of the municipal councils
- Organisation of periodical meetings of local officials with citizens', aimed at reporting on the implemented work / carried out events and informing on the future plans
- Ensuring more intensive and professional coverage of social issues and respective debates by local Media, public TV and Radio
- Application of European Council's diagnostics instrument - C.L.E.A.R. - for auditing citizens' participation on local levels

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<sup>4</sup> Special consultative bodies for local authorities: community councils, public consultative groups, public committees, regular and special consultations on strategic policies, etc.

Examples of obtained responses:

“Development of territorial bodies of public self-governance and other forms of citizens' self-organisation”.

“Provision of appropriate resources to the local governance bodies for carrying out work with citizens' and applying local democracy mechanisms”.

“Development of modern practical mechanisms, forms and procedures of citizens' participation”.

“Introduction of a diagnostic instrument of the EC on citizens' participation in the public life on local levels”.

“Introduction of various mechanisms of citizens' participation: focus groups, consultative commissions, etc.”.

“Arrangement of international exchange between municipalities”.

“Multiplication of success stories in the given area (examples of specific forms and mechanisms of citizens' participation in the decision-making)”.

Development of dialogue fields for communications with various groups of citizens”.

“Creation of various clubs, such as debates, forms of relations, trainings, and discussions”.

“Intensification of educational work for achieving higher citizens' activeness in public issues”.

“Raising citizens' awareness... Raising the level of citizens' legislative literacy... Raising their activeness”.

“Legislative commitments of the self-government with respect to its pro-activeness in public relations area. For example: publication of all documents on the web-site; the instrument on civil Councils should be applied effectively, etc.”.

“Creation of information centres on the sites”.

“Consider in the budget funds for grants, co-funding of initiative groups, identification/stimulation of an active topic”.

“Holding open sessions of the Council of Municipalities”.

“Preliminary publication of the local Council agenda, in any form”.

“Holding of regular meetings by municipalities with local residents on reporting about implemented work and future plans”.

“More active application of electronic means and technologies”.

“Effective application of information systems and web-sites available for the municipalities. Their further development and complementing with new components”.

“Creation of inter-active Internet-platforms for citizens' participation and transparency of procedures and the discussed decisions... Creation of an Electronic Municipality system”.

“Improvement of hot-line services and timely reaction to citizens' suggestions”.

“Providing information to citizens', initiatives, NGOs via the local official and independent Media, the Internet-portals”.

At the same time, some of the respondents appeared to be more sceptical regarding short-term prospects of improving the existing situation in citizens' participation in their respective countries. They emphasise the utmost importance of social development and “the middle class formation”, as primary pre-conditions for raising citizens' interest to participate in local governance. According to other respondents, at this stage, further development of the civil sector on the local levels would be much more productive. Meanwhile, few respondents point out the importance of restoration of citizens' trust to local authorities and their abilities to influence local decision-making processes.

Respondents' quotes:

“The trend of the formality of mechanisms will be carried on, until the middle class gets stronger on its feet”.

“Currently, attention should be paid to civil society development on the local level”.

“To achieve the restoration of citizens' trust towards local authorities... A citizen should be sure that the local government is accessible and transparent administration, with respective authorisations and financial resources”.

## 1.5. Conclusions and Specific Comments

Based on the analysis of the obtained results, the following can be concluded:

At this stage, the level of citizens' participation in local governance in the EaP countries is quite low.

A number of factors contribute to this. In particular:

- ✚ Incompleteness of the legislative base
- ✚ Insufficient regulation of some practical mechanisms, forms and procedures for civil participation
- ✚ Low level of political culture of participation
- ✚ Shortage of political will and lack of a clear vision of the importance of a civil participation in decision-making
- ✚ Low level of social development
- ✚ Insufficiently developed civil sector
- ✚ Low level of civil activeness among population
- ✚ Limitations in access to public information
- ✚ Limited public awareness on activities of local authorities
- ✚ Low level of population trust towards local authorities
- ✚ Weak cooperation and coordination between NGOs, local authorities and donor organisations
- ✚ Insufficient application of civil participation forms stipulated by the law, and absence of practicing of innovative forms and mechanisms of population inclusion
- ✚ Low decentralisation level and weakly developed local self-governance

Besides, it is clear, that in most of the cases, local authorities are not pro-active in citizens' inclusion issue. They see that the population is passive, and do not take adequate actions for stimulating and encouraging civil participation.

And finally, we would like to note, that according to the respondents, population of the EaP countries is more or less informed on the actions of local governments and on their own rights. At the same time, the level of this awareness is insufficient for the formation and development of participatory local democracy. With this purpose, some bodies of local governance, local self-government leaders, donors and local NGOs carry out efforts allowing to achieve certain positive results. However, it is clear that much more needs to be done.

### 3. Positive Cases of Civil Participation in Local Governance of the EaP Countries

#### Armenia - Support-financing of citizens' independent initiatives and projects by local Government

##### **Situation review**

Municipality of Dilizhan is situated in the North-Eastern part of Armenia. The area of Dilizhan municipality is 993.96 ha, population - 15700 (July 1, 2012).

The municipality housing fund is outdated. It is necessary to pay a special attention to the reconstruction of the entrances of multi-apartment blocks, ensuring normal functioning of elevators, construction or major renovation of sports grounds and facilities in the yards. There are 101 multi-apartments buildings in the municipality, and, based on requests of the residents of these buildings regarding the above mentioned problems, local authorities frequently provide certain services to them.

##### **Description of the participation process**

In July of 2012, residents of building №70 (signed by 12 people) of Getapnya, and Shaumjan (signed by 20 people) submitted a request to the Mayor of the municipality regarding arrangement of sports-grounds and summer play-houses in the mentioned districts. The municipal Council approved the request. The mayor organised two public discussions with the participation of residents of these districts, to identify locations for construction of the sports grounds and summer play-houses under the city development plan. 60-70 citizens' took part in each discussion, and the construction locations were identified.

##### **Participation results**

In line with the local Council decision, necessary construction materials for the sports grounds and summer play-houses were purchased and handed to residents of the districts. In their turn, they themselves cleaned the designated territories and built the sports grounds and summer play-houses.

In January-July 2012, the municipality purchased and built 8 sports grounds and 4 summer houses with municipal finances and according to the above mentioned participation procedure.

The given case is a good example of cooperation between citizens' and local authorities at the citizens' initiative. The results were achieved by means of joint efforts of the authorities and citizens'.

## **Azerbaijan - Residents of Kharanab take part in the elaboration of the village development strategic plan (2009)**

### **Situation review**

Kharanab is a village in Bardy district of the Republic of Azerbaijan. Population size as of 2008 data is 2500 people, out of which, 1205 females and 1295 males (including: 480 infants and children under 16, 250 pensioners). 3/4 of the residents who are able to work are engaged in agriculture sector, 75 people are in education system, 20 people - in trade and public catering, etc.

Total area of the village is 2100 ha, out of which 1780 ha are privately owned by 435 households, and 99 ha are under municipal ownership. 80% of the village land is farmed: about 900 ha is used for growing grains, about 50 ha - for technical plants (cotton and sugar beet), about 20 ha - for garden and vegetable, about 30 ha - for cattle feeding plants, 15 ha - for fruits, and the rest - as cattle range.

The village is governed by the Head of the District Executive Authorities (HDEA) and local municipality. Main authorities are under the representative of the HDEA. Activities of the representative's office, as well as schools, medical facility, library, kindergarten and other social institutions, are funded from the State budget. The funds allocated from the State budget are not sufficient for restoration of social infrastructure, which has been constantly deteriorating since the Soviet times.

Local self-government, called Municipality, has been functioning in the village since 1999. Municipality Council is elected by local population by means of direct elections and for a period of 5 years. Municipal budget is formed from local taxes and fees, and are determined by the State legislation. In 2008, municipal budget revenues made 8100 Manats (about 10,000 US Dollars) - with a coefficient of tax collection at 75%.

The village has a number of social-economic problems, which have not been solved for a long time due to insufficient finances. Some of the problems are: provision of quality potable water to 30% of the village population, supplying of 40% of agricultural lands with irrigation water, restoration of village roads and social infrastructure facilities, gas supply, etc.

### **Description of the participation process**

In order to solve the above mentioned and other problems, in 2009, the village municipal Council developed a strategic plan for village development for the period of 2010-2015. Local NGOs and donor organisations (that were providing funds for the respective pilot project) were assisting in the development of the strategic plan. A joint session of the municipality and NGOs decided that for the development of an efficient long-term plan it was essential to take into consideration real needs and requests of local residents, identify and converge interests and needs of various social groups, local farmers, and also consider the position of the local administration.

A work group consisting of members of the municipal Council, NGO experts, representatives of the village elderly, females and youth was created for developing the plan. The group also had representatives of farmers and business circles. The work group was holding its group meetings with representatives of various social groups of the village population, and was discussing the issues in focus-groups, recording and generalising their recommendations, as well as informing the residents about the implementation of the planning process. Separate work meetings were held with groups of pensioners, village elderly, females, youth, teachers, etc. The residents were pre-informed (up to 5 days) about the time and location of the meetings, so that all those willing would be able to attend. Three round table discussions were held with representatives of all social groups, farmers and NGOs. Besides, post boxes of "Citizens" initiatives" were installed in different locations in the village, in order to collect individual written requests and recommendations of the residents. Overall, the discussions lasted for about four months, and about 350 people participated in them.

Afterwards, during 2 months, the work group was elaborating the draft of the Village Development Strategic Plan for 2010-2015. The draft plan was presented on billboards installed in the village in three locations. The work group held two public presentations and discussions of the draft plan (about 120 people took part in these discussions). After the discussions, the draft plan was submitted to the municipal Council for approval.

### **Participation results**

Residents of the village submitted about 45 suggestions and recommendations on the first stage of the development of the plan and 17 recommendations during general discussions of the draft. 37 of those were reflected in the strategic plan of the village development for 2010-2015, which was approved by Khanarab municipal Council session in September 2009.

The municipal budget for 2010 was developed based on this strategic plan. Budget hearings were held with local residents, where some of the budget parameters for 2010 were adjusted. During the hearings, the participants decided that households had to contribute a certain part (1/4 of the financial means) of the means necessary for a project, in order to speed up solving the problem of supplying the village with potable water.



## **Belarus - Residents of the city of Gomel take part in ecological protection of the city suburban territory**

### **Situation review**

Gomel district of the Republic of Belarus is situated in the South-Eastern part of the country. The city of Gomel, the second largest city of Belarus (485 thousand residents) after the capital Minsk, is a big cultural-industrial centre, where multiple enterprises are concentrated, making their negative impact on the environment. Gomel district and the city of Gomel in particular are one of the most ecologically problematic territories of Belarus that was heavily affected as a result of Chernobyl nuclear power station disaster in 1986.

On the Eastern part of Gomel city is situated a unique preserved green line - a birch grove on the Sozh river bank, which is one of the biggest inflows of the Dnepr. Citizens' take pleasure in spending their leisure time in the heart of the nature, relax and enjoy fresh air. The given recreation zone has 45 ha, and territorially belongs not to Gomel city, but to Gomel district. However, it is located in a place easily accessible and attractive for residents of the city and other citizens'.

Moreover, the given green zone is ecologically unique, because it is inhabited by:

- Ground sparrows – a colony of up to 600 species,
- Butterflies that are in the Belarus Red Book ,
- Wild birds that are in the Red Book of Republic of Belarus – Kestrel usual.

At the same time, one of the problems of Gomel and its neighbouring areas (similarly as in many other territories and regions of Belarus) is liquidation of green zones and carrying out construction work with the permission of local authorities on the territories of children playgrounds, green zones, water reservoir. Construction works require cutting down trees and shrubs. In majority of cases, such activities are carried out disregarding opinions of residents of the districts adjacent to Gomel and other settlements. For example, lately, active cutting of trees and construction works were being carried out by gardening cooperatives on the territory of a green recreational zone.

Residents of the areas are against cutting of trees and carrying out constructions works on the territories of green zones and are willing to preserve natural reservations, sites populated by rare and endangered species of flora and fauna, or, simple recreational zones, for next generations.

### **Description of the participatory process**

Civil participation in decision-making processes on local levels is envisaged by the legislation through various reforms of local governance, among them, through forms of direct democracy - holding of local referendums, local assemblies, law-making initiatives, public hearings, as well as through forms of representative democracy - activities of local Councils and their bodies, relations with members of local Councils, public officials and specialists of local executive committees.

These legislative instruments are not fully enacted in Gomel as well as elsewhere in Belarus. For solving the issues faced by the city, an initiative group of 10 people was formed from those that were not careless about the situation. Supported by local residents, the group was supposed to record and generalise citizens' proposals and suggestions, establish interaction with representatives of local authorities, and permanently inform residents of Gomel and adjacent territories on the process and the achieved results.

The initiative group, that united representatives of various civic organisations, environmentalists, and just ordinary active citizens', chose the following forms of assertion of their lawful interests on the favourable environment and ecological safety:

- Collective appeal of citizens' to city authorities;
- Publication of articles in newspapers, appearance in the Media;
- A thematic video clip on the above mentioned problems was made and aired on TV;
- Picketing of activities of construction companies causing damage to the environment;
- Holding meetings with residents to discuss the situation and develop suggestions on the protection of the green zone;
- Holding meetings of the initiative group representative and the public with representatives of local authorities, in order to pass citizens' suggestions to them;
- Carrying out greening work and improvement of the settled districts and adjacent territories.

Totally, more than 300 persons - residents of the given territory as well as other active citizens' - participated in the organised events on the protection of the Green zone near Gomel.

### **Participation results**

As a result of the work carried out by the initiative group together with residents of Gomel, and local city and district authorities, a joint commission together with representatives of the public was set up, aimed to control the situation regarding the Green zone. As a result of the commission's work, consideration of public opinion, and analysis of citizens' suggestions, the heads of Gomel district executive committee passed a decision to stop allocating land in the green recreational zone to the construction cooperative and other individual or collective developers. To praise the representatives of the executive committee, they are keeping their word.

Of course, similar "promise" is not a lawful basis for overcoming a conflict between the public and the authorities regarding preservation of the green zone. To achieve this, the "promise" should be reinforced with a legislative act - a decision of the district executive committee. However, in the opinion of residents of Gomel and its neighbouring territories, the first step in the positive direction has been made.

## **Georgia - Joint planning of youth policy in Lagodekhi municipality**

### **Situation review**

A self-governed unit (municipality) of Lagodekhi is situated in the North-Eastern part of Georgia, in Kakheti region, near the border with the Republic of Azerbaijan. Population of the municipality - 51 000 people (among them, 24% are representatives of ethnic minorities - Azeris, Ossetians, Avarians, Russians, Poles, etc.). Representative body of the self-government is Sakrebulo, consisting of 25 members elected by proportional and majoritarian election systems, for a period of four years. Sakrebulo determines the structure and authorisation frames of the executive body. The executive body is made up from local departments and territorial bodies. The youth constitutes more than 30% of the municipality residents. Five youth centres (NGOs) operate on the territory of Lagodekhi municipality. A department on youth and sports affairs is created in the municipality, and the main function of the department is preparation of municipal programs in respective areas and coordination of their implementation.

### **Description of the participatory process**

In 2011, a non-governmental organisation - Civil Development Association of Georgia - in cooperation with the department of youth and sports affairs of Lagodekhi municipality developed a strategic plan for the mentioned department by means of a joint planning method.

Problem identification study was carried out at the first stage. With this purpose, about 800 youth were surveyed in the municipality, including representatives of ethnic minorities. By means of a special semi-structured questionnaire, a range of youth-related problems was identified, and the attitude of the youth towards relevant social-economic problems and their readiness to get involved and participate in solving the problems was studied.

On the second stage, discussion of the obtained results was launched with the participation of interest groups. The discussions were attended by top officials of the municipality representative and executive bodies, employees of the department of youth and sports affairs, youth thematic centres operating on the territory of the municipality, and non-governmental organisations working in respective areas (a total of 34 persons).

In the fall of 2011, considering the study results and with the participation of a wide spectrum of interest groups, including representatives of ethnic minorities, a strategic plan for the department of youth and sports affairs of the municipality was developed. The document reflects the mission of the department, main problems (challenges), strategic objectives and directions.

### **Participation results**

Strategic plan for municipal department for youth and sports affairs was developed with active participation of youth groups. Based on it, an operational plan and the budget for 2012 were prepared. Municipality youth programs became considerably more oriented on real needs. Youth participation in various events has increased. For example, in 2012, more than 200 young people took part in an event to clean the territory. And the last, but not least important, is that positive precedents of joint, coordinated work between youth groups and local authorities have been created.

## **Georgia - Public Council (Darbazi) at the Sakrebulo of Ozurgeti municipality**

### **Situation review**

A self-governed unit of Ozurgeti (municipality) is situated in the Western part of Georgia, in Guria region. Population of the municipality is 77 200 people. Sakrebulo is the representative body of the municipality and consists of 39 members elected by proportional and majoritarian systems, for a period of four years. Sakrebulo defines the structure and activity boundaries of the executive body, which is composed of local departments and territorial bodies.

Aimed at citizens' inclusion in the self-governance process, the regulations of the representative body (Sakrebulo) of Ozurgeti municipality envisage creation of Public Darbazi - a permanent consultative/counselling body with the Sakrebulo. Georgian legislation does not impose an obligation to create such body, however, a self-governed unit has authorities, at their own discretion, to make a decision on an issue that is not banned by the legislation and does not represent a competence of the State authority bodies.

### **Description of the formation process**

Public Darbazi created at the Sakrebulo was established in February 2011. However, preparatory work started much earlier, in 2010, with activeness of the public sector. A start to the process was given by a non-governmental organisation - Union for Democratic Development of Georgia. On the initial stage, information meetings were held with Stakeholders (non-governmental sector, the Media, Sakrebulo of the municipality, representatives of the public). Legislative bases for creation of the Public Darbazi, its concept, functions, compositions, rotation and other issues were discussed at the meetings. At the next stage, a draft of Darbazi regulations was developed, and a number of public hearings and discussions were dedicated to this issue. Despite various opinions about Darbazi composition, a compromising version was found for the draft of the regulations of the consultative body. As a result, on February 9, 2011, Sakrebulo of Ozurgeti municipality issues an order on the creation of Public Darbazi.

### **Participation results**

Upon establishing of the Public Darbazi, a permanently active mechanism of public participation in self-governance was created. Darbazi discusses issues and gives recommendations to the Sakrebulo regarding the issues on which decisions should be made, as well as on decisions about various problems facing the population. Including June 2012, Darbazi had held 15 meetings, where issues regarding the local budget, local taxes, collection of fees, social-economic development, projects to be implemented in the villages, and car parking were discussed. Sakrebulo took into consideration quite a few of the recommendations provided by Darbazi and related to the methodology of the problem identification in the villages; provision of a parking lot for municipal transport; accounting of utility payments, etc.

Ozurgeti Public Darbazi, as a positive case, became interesting to other self-governments. For example, in 2012, a similar consultative body was created in a neighbouring Chokhatauri municipality.

## **Moldova - Effective partnership of the local public governance and the public - a guarantee for sustainable local development**

### **Situation review**

Republic of Moldova, village Feshtelitsa, district Shtefan-Vode, address: N7 Sthefan the Great street, Tel.: +373 242 44172, fax: +373 242 44136, e-mail: [primaria.festelita@gmail.com](mailto:primaria.festelita@gmail.com)

Geographic location: South-Eastern part of Moldova, 102 kilometres from Chisenau and 23 kilometres from the district administrative centre. As of 01.01.2012, population size was 3270 people, out of which, 96% Moldavians, 2% Russians and 2% Ukrainians, Bulgarians, Romas, etc. Seven people are working in the Mayor's office. The village has long cultural traditions and customs, and during the Soviet time, local art folk groups had considerable success on National and international contests.

Before 2007, the head of the village was a communist Mayor who, with his old governing methods, lead the village to bankruptcy. Local budget was completely dependent of transfers from the State budget. The share of its own revenues was 4-5% of the total budget. Basic social institutions, such as kindergarten and Culture Hall, were closed down. The school and medical centre were facing a risk of closing down too. About 15% of residents had gone overseas in search of jobs. In 2007, the village elected a new Mayor - a young, educated person and with innovative ideas of village development. The new Mayor's priority became transformation of the public from beneficiaries of the Mayor's office into a partner and beneficiary.

### **Description of the participation process**

The first action of the new Mayor was elaboration of the village Strategic Development Plan. For this purpose, a Local Strategic Committee was set up, consisting of 17 persons. The draft strategy was elaborated on the basis of a public opinion survey, using Citizens' Participation Cards and opinions collected in three focus group discussions with pensioners, youth and intelligentsia. Through these measures, strategic directions and priorities for the village were identified. The strategy was finalised in a 5 day workshop. The final document was approved by the Village General Assembly. The Mayor's second step was implementation of the strategy. One of the strategic priorities were education and development of cultural traditions - the areas especially vulnerable after economic changes in the beginning of 90s. A risk of immorality and loss of national values had increased. The groups most vulnerable from this problem were children and the youth. The Mayor's office opened a branch of a district Art School named after Maria Bieshu (the best Chio-Chio-San of the first International Contest of Miura Tomaki, Tokyo, Japan). The district Council supported the creation of the Art School in the village, while the Mayor's office provided a building for this purpose. Students' parents and teachers renovated the building with their own resources. Musical instrument classes, such as accordion, nai, flute, dulcimer, violin, etc. were open. Also were created quire for children and elderly, and dance classes for children, youth and adults. The school's main problem was financing. So, an issue of improving community tax administration system arose. In 2008, street meetings with the participation of local Council members and the Mayor started in every sector of the village, to discuss the local budget, neighbourhood problems and paying of local taxes. At the meetings, those that had tax liabilities were being named publicly. As a result, paying to the local budget made more than 110%, while the local budget itself increased twice. Improvement in tax administration allowed the village to participate in European projects, where co-funding is mandatory. In 2008, the Mayor's office submitted an application to the Romania-Moldova EN Trans-Border Program, and the project was selected for funding. Under the project, capital renovation of the Art Hall was carried out, as well as classroom of the Art School were also renovated, and six art groups received musical instruments, electric equipment and national costumes. In 2011, the Strategy was actualised using the same methods, but a focus was made on inclusion of vulnerable population groups in the development and implementation of the strategy.

Next priorities of the community are renovation of the central street, expanding of the village museum, and promotion of the village economic and tourist potentials.

### **Participation results**

The village has actualised development strategy, which serves as an agenda for the Mayor Office and is elaborated by direct civil participation. Under the Local Strategy Committee, strong partnership relations are established between the public, Mayor's office and civil society organisations. During the four years, local budget grew by six times, from 600 thousand Leev (40 thousand Euro) in 2007 to 3.8 million Leev in 2011. In 2012 the budget made 6 million Leev (!) and this was thanks to a constant cooperation between the Mayor's Office and the community. Activities of all social institutions have been restored in the village, and an Art School - the first one in the region in a rural settlement - was open. The art school is funded from the local budget, the district budget and the community. More than 200 children and youth, as well as adults, participate in arts activities of the school, which helps boost their moral and national values and allows to promote the village image.

Lessons learnt: The example of village Feshtelitsa proves that any projects on the local level are implementable, if done so in cooperation with citizens'. Projects, initiated by citizens', have popular support during the implementation process as well. Good projects start from strategic planning, and it is desirable that all segments of the population take part in this process. Mayor's office is able to carry out its plans, if there is public support to the Mayor's initiative. Success of any initiative is guaranteed if there is a constant cooperation between the Mayor and local residents. Results can be achieved more effectively provided that taxpayers' financial disciplining is ensured.

### **Situation review**

Founded in 1778, city of Kherson is administrative, industrial and cultural centre of Kherson region which is situated in the Southern Ukraine. Population of the city is 350 thousand people.

According to the legislation of the country, among own responsibilities of local self-government are issues regarding organisation of out-of-school education. In other words, this is a type of additional extra-curricular, non-mandatory education, when children, through a network of various art schools, clubs, children's sports schools, etc. in their neighbourhood, are able to show their art and sports abilities, and usefully spend their leisure time.

Local territorial community, represented by the Mayor Office and the Department of Education, should create all conditions for the operation of such extra-curricular facilities, ensure their financing, and create maximally favourable conditions for children, so that they can attend various sections, groups, educational classes, etc.

Civil society organisations of the city decided to carry out a public assessment of quality of such extra-curricular education, learn parents' opinions regarding local policies in the area of out-of-school activities, collect their suggestions on the prospects of the development of this area and, based on the obtained results, propose to the city Council to adopt a new extra-curricular education program.

For the implementation of this idea, a coalition of local civil society organisations used citizens' participation mechanisms that were stipulated in the City Charter: public hearings and submission of public initiatives to the local self-government.

### **Description of the participation process**

With the efforts of a youth civil organisation "New Initiative", a survey of parents having schoolchildren was carried out regarding the conditions of extra-curricular education, and quality of services provided by out-of-school facilities. Citizen Report Cards method was used for this purpose. As a result of the study, main problems of the network of extra-curricular educational facilities were identified, and a quite high level of dissatisfaction with quality of work of such facilities was revealed. A group of experts was also set up, which has developed a Green Paper - a document for consultations with interest groups on the ways of improving local policies in extra-curricular education area. Afterwards, a series of public consultations was held on the directions of the development of extra-curricular activities. This way, the final document - suggestions to the city Council - was developed. At the next stage, an initiative group of citizens' was created to collect 300 signatures requesting city authorities to hold thematic public hearings. This procedure was determined by Kherson Charter. According to the procedure, if 300 residents of the city submit a request to hold thematic public hearings, the Mayor is obliged to hold such hearings, and the results should necessarily be discussed in the city Council session. Public hearings on the issue were held, where citizens' expressed their final suggestions to the city Council regarding the ways of developing of extra-curricular education activities. Representatives of the city authorities also expressed their views of the local policy on the issue. Public hearing participants passed a resolution which was submitted for consideration to the city Council members. The resolution was reviewed on an assembly of the City Council, with participation of members of the initiative group.

### **Participation results**

Based on the held public hearings, the city Council considered all suggestions of the citizens' and made a decision about the development of a new extra-curricular education program. At the same time, a decision was made to take practically all suggestions (75%) expressed during the public hearings as a basis of the new program. Thus, citizens' opinions were taken into consideration and a new local policy on extra-curricular education was being developed considering the interests of schoolchildren's parents, as well as children themselves.



## **Ukraine - Residents of Krogulets participate in the planning of social-economic development of their village**

### **Situation review**

Krogulets is a village in Gusjatinski district of Ternopil region. Population of the village as of 2010 was 819 people. The village is governed by Kruguletski village Council, which covers a territory of 1650 ha (village Krogulets itself and the neighbouring territories).

From social-economic development point of view, Krogulets is similar to majority of Ukrainian villages: growing of grains makes the core of its economy; after the collapse of the planned economic system, cattle raising and industrial activity of the village suffered a downfall; residents are either engaged in their own small farming, or are employed in nearby towns. The village Council budget is not sufficient for the restoration of social infrastructure, which, since the Soviet time, has been deteriorating.

Existence of fertile chernozem, meadows, forests, water reservoirs, convenient transportation and the excessive labour resources were opening the prospects for further development of the village economy and social infrastructure. For promoting this development, the village Council passed a decision to elaborate a Village Territory Planning Scheme (VTPS) - a development document that determines the prospects of using land resources and the strategy for social-economic development of the village community.

### **Description of participation process**

Krogulets village Council and informal community leaders were understanding that the VTPS would be really effective only in case if it reflects real needs and desires of village residents, and is in line with their vision of the future of the village. A necessity arose to identify and coordinate the interests and needs of local business, village residents and the position of local authorities on issues related to the prospects of using the territory.

Informal community leaders created an initiative group, which was informing the residents on the implementation of the territory planning process, recording and generalising residents' recommendations and submitting these recommendations to those working on the VTPS - specialists of a thematic State institute.

Maximal inclusion of citizens' in the planning of the village territory was implemented in two stages. The first stage was initiated when a developer of the VTPS submitted a preliminary draft of the document elaborated on the basis of the experts' calculations and suggestions. The initiative group disseminated the proposed scheme among residents; a public presentation of the scheme was held by experts of the Institute involved in the work. Discussions lasted during a month: two round table discussions with representatives of the business, and public hearings were held; "street gatherings" - a way of informal discussion of territory planning issues with residents of various streets - appeared to be an effective local know-how. A special box was installed in the village Council to collect written recommendations provided by residents for submitting to the initiative group. 199 resident of the village took part in a total of eight events.

The second stage was conducted after having finalised the draft VTPS, conducted State review and incorporated recommendations from the State authorities (a procedure required by the law). This stage took three months. The initiative group also disseminated VTPS project among the residents, and again, a special box for suggestions was provided; a presentation and round-table discussions were held, as well as meetings with separate groups of residents, and a "question and answer" meeting of village residents with representatives of local authorities. A total of eight events were carried out and the number of participants was 353 people. Public discussions ended with public hearings (58 participants), during which, village residents provided their positive evaluation to the draft VTPS (it should be noted that the draft had already considered their recommendations provided during the first stage of the discussion).

## **Participation results**

Village residents provided 22 recommendations about the contents of VTPS at the first stage of the discussion and 8 recommendations were provided during the second stage. All recommendations were considered. On April 7, 2011, Krogulets village Council approved the VTPS, which became a product of joint work of village residents, local business and the authorities.

Reflecting real needs and interests of citizens' and based on public consensus, the document became a stimulus for economic development of the village. On the basis of the VTPS, an investor started construction of a modern mill and a bypass road, local entrepreneurs created a recreation zone on the lake beach. These activities, overall, create more work places for local residents and provide additional sources for local budget.

## Questionnaire for Evaluating the Legislation Regulating Citizens' Participation in Local Governance in EaP Countries

For the purposes of this Questionnaire, the term “legislation” refers to the legislative acts including the constitution adopted by representative body of Central Government.

Organization name-----

Name of Respondent -----

Email, phone -----

Country -----

1. Are there any guarantees provided for the Citizen Participation in Local Governance for by the constitutional norms?

- ☐ Yes  
☐ No  
☐ Partly

Please, provide relevant extract(s), indicating article, paragraph and subparagraph

### Accessibility of Public Information

2. Is citizen participation in hearings of representative body of local government guaranteed by the legislation of your country?

- ☐ Yes  
☐ No  
☐ Partly

Please, provide extract(s) from relevant law(s), indicating title of the law, article, paragraph and subparagraph

3. Does the legislation specify obligatory informing citizens' by local governments about the following issues:

- ☐ Agenda, dates, exact time and place of local government representative body hearings

Please, provide extract(s) from relevant law(s), indicating title of the law, article, paragraph and subparagraph

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- ☐ Policy to be undertaken/planned in any field

Please, provide extract(s) from relevant law(s), indicating title of the law, article, paragraph and subparagraph

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- ☐ Draft decisions to be taken

Please, provide extract(s) from relevant law(s), indicating title of the law, article, paragraph and subparagraph

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- ☐ Decisions taken

Please, provide extract(s) from relevant law(s), indicating title of the law, article, paragraph and subparagraph

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- ☐ Dates and procedures of appealing the LG decisions

Please, provide extract(s) from relevant law(s), indicating title of the law, article, paragraph and subparagraph

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- ☐ Other information

Please specify the information which must be published and provide extract(s) from relevant law(s), indicating title of the law, article, paragraph and subparagraph

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4. **Does the country legislation set the forms of informing citizens' by local government?** (Information stand, webpage, newspaper, informational meeting, presentation, letter etc.)

- ☐ Yes  
☐ No  
☐ No, according to the law such forms are set by local governments

Please provide extract(s) from relevant law(s), indicating title of the law, article, paragraph and subparagraph

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**5. Is the local authorities' obligation concerning the delivery public information upon request of interested person provided by country legislation?**

- ☐ Yes
- ☐ No

Please provide extract(s) from relevant law(s), indicating title of the law, article, paragraph and subparagraph

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## **Forms of Direct Democracy**

**6. Are the following forms of direct democracy set at local level by country legislation?**

- ☐ Referendum (plebiscite), results of which have obligatory influence on local government

Please provide extract(s) from relevant law(s), indicating title of the law, article, paragraph and subparagraph

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- ☐ Referendum (plebiscite), results of which do not have obligatory effect on local government

Please provide extract(s) from relevant law(s), indicating title of the law, article, paragraph and subparagraph

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- ☐ Citizens' initiative (initiation of decisions by citizens' according to petition rule)

Please provide extract(s) from relevant law(s), indicating title of the law, article, paragraph and subparagraph

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- ☐ Other form of direct democracy (eg. Recalling of elected persons etc.)

Please provide extract(s) from relevant law(s), indicating title of the law, article, paragraph and subparagraph

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## **Preliminary Consultations With Citizens'**

**7. Does the country legislation provide for preliminary consultations with citizens' upon making decisions by local governments?**

- ☐ Yes, when making any decisions
- ☐ Yes, when making any decisions only in some fields
- ☐ No

Please provide extract(s) from relevant law(s), indicating title of the law, article, paragraph and subparagraph

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8. Does the country legislation provide for any specific form of preliminary consultations with citizens' upon making decisions by local governments? (eg. Public discussion, public reviews, survey of citizens', community meetings, interest groups, consultations with NGOs etc)
- ☐ Yes
- ☐ No
- ☐ No, such forms are determined by local government according to the law

If yes, please specify such form and provide extract(s) from relevant law(s), indicating title of the law, article, paragraph and subparagraph

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9. Does the country legislation provide for creation of permanent or temporary public advisory body by local governments? (eg. Advisory councils, councils of foreigners, youth councils, community/neighborhood councils etc.)

- ☐ Yes
- ☐ No

Please, list such bodies and provide extract(s) from relevant law(s), indicating title of the law, article, paragraph(s) and subparagraph(s)

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## Final questions

10. Are there any regulations established by country legislation, which do not fall into the answers of this questionnaire but would facilitate citizen participation in decision-making process at local level in your opinion?

- ☐ Yes
- ☐ No

Please provide extract(s) from relevant law(s), indicating title of the law, article, paragraph(s) and subparagraph(s)

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11. Are there any regulations established by country legislation, which restricts/hinders citizen participation in decision-making process at local level?

- ☐ Yes
- ☐ No

Please provide extract(s) from relevant law(s), indicating title of the law, article, paragraph(s) and subparagraph(s)

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*Thank you for cooperation*

## Annex 2

# Questionnaire for Evaluating the Quality of Citizens' Participation in Local Governance in EaP Countries

Please circle (**BOLDED**) the numbers according to your experience. 1 is the lowest, 6 is the highest score (1: it is not relevant at all; 6: it is absolutely relevant). In case you cannot answer the question, please, circle 'NI' (no information).

NGO name: -----

Name of Respondent: -----

Email, phone: -----

Location: -----

Field of Activity: -----

### I. Existing Environment for Citizens' Participation in Local Governance in your Country:

1. Citizen participation in local governance is supported by special law(s).

1	2	3	4	5	6	NI
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2. Citizen participation is supported by local governments' respective regulations.

1	2	3	4	5	6	NI
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3. Implementation of applicable laws and regulations on citizen participation is effective.

1	2	3	4	5	6	NI
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4. Citizens' may attend all local council hearings.

1	2	3	4	5	6	NI
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5. Citizens' are effectively pre-informed about the dates and exact time of local council hearings.

1	2	3	4	5	6	NI
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6. Citizens' are informed about draft projects/programs/initiatives to be considered by local council.

1	2	3	4	5	6	NI
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7. Local council hearings have clearly established goals and respective agenda.

1	2	3	4	5	6	NI
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8. Number of citizens' attending & participating in local council hearings is satisfactory.

1	2	3	4	5	6	NI
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9. The forms and mechanisms of direct democracy<sup>5</sup> are applicable at local level.

1	2	3	4	5	6	NI
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10. The right to exercise petition rule<sup>6</sup> is frequently applied by citizens'/interest groups.

<sup>5</sup> Local referendum, plebiscite, petition rule, general meeting of citizens'.

1	2	3	4	5	6	NI
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11. The forms and mechanisms of consultative democracy<sup>7</sup> are applicable at local level.

1	2	3	4	5	6	NI
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12. The forms of preliminary consultations with citizens<sup>8</sup> are typically applied during a decision-making process by local government.

1	2	3	4	5	6	NI
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13. Citizens'/interest groups are active during the preliminary consultative process with local authorities.

1	2	3	4	5	6	NI
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14. Citizens'/interest groups appear to have a considerable effect during the preliminary consultative process with local authorities.

1	2	3	4	5	6	NI
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15. Special local programs, guidelines and instructions on citizen participation are elaborated and effectively applied.

1	2	3	4	5	6	NI
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16. Allocated resources are sufficient for the implementation of programs/activities on citizen participation.

1	2	3	4	5	6	NI
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17. Local official and public servants are trained to implement citizen participation programs.

1	2	3	4	5	6	NI
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18. Easy access to public information; procedures for access to official documents held by local authorities are streamlined and effectively observed.

1	2	3	4	5	6	NI
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19. Local officials/public servants, responsible for public information delivery are identifiable and easily accessible

1	2	3	4	5	6	NI
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20. Citizens' reception hours are formally set and practically applied.

1	2	3	4	5	6	NI
---	---	---	---	---	---	----

21. Citizens' are well informed about local government initiatives, relevant debates and decisions through local media, local government website, awareness raising campaigns or other means.

1	2	3	4	5	6	NI
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22. Members of local councils periodically present results of their work to local constituency.

1	2	3	4	5	6	NI
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23. Mechanisms/procedures for dealing with and responding to complaints and suggestions regarding the functioning of local authorities and local services are streamlined and effectively applied.

1	2	3	4	5	6	NI
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24. Extent of ultimate effect of citizens' participation on local government decisions is considerable.

1	2	3	4	5	6	NI
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25. Citizens' participation and participatory decision-making are among TOP priorities of local authorities.

1	2	3	4	5	6	NI
---	---	---	---	---	---	----

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<sup>6</sup> Right to initiation of draft normative acts of local government via petition

<sup>7</sup> Special consultative bodies to local authorities: citizens' advisory groups, civic committees, regular or ad hoc strategic policy councils, etc.

<sup>8</sup> Public discussions, opinion polls, meetings with interest groups or lobbyists, consultations with CBOs or broader coalitions of non-governmental sector, etc



## II. Specific Questions:

1. Are citizens'/interest groups entitled to solicit special hearings of local councils in your country?

YES	NO
-----	----

2. If so, are they entitled to actively participate<sup>9</sup> at the special hearings of local councils?

YES	NO
-----	----

3. Are you aware of any citizens' initiative funded by local government budget?

YES	NO
-----	----

Please, specify.

4. Are there any web-based, online participation platforms or other innovative instruments introduced for receiving citizens' requests/suggestions and engaging them in local decision-making?

YES	NO
-----	----

Please, specify.

5. Generally, do you consider the quality of citizens' participation in local decision-making satisfactory?

YES	NO
-----	----

## III. Favourable and Unfavourable Factors:

1. Please, identify 3 major factors promoting improved citizens' participation in local governance in your country:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

2. Please, identify 3 major factors hindering effective citizens' participation in local governance in your country:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

3. Please, provide your concrete expectations & recommendations concerning the necessary policies or initiatives on enhancing the citizens' participation at local level in your country.

Expectations concerning legislation:

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Expectations concerning additional practical mechanisms, forms and procedures for citizens' participation:

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***Thank you for your cooperation!***

<sup>9</sup> Make speech, ask questions, comment, express positions, etc.

## Annex 3

### Respondents by the States and sectors

(Note: Municipalities of Azerbaijan involved in the survey are not indicated in the table according to their own request)

EaP Country	CSO	Local Government
Armenia	"Mission Armenia"	Noemberyan
	Association of Municipal Councillors of Armenia	Berd
	"Information Systems Development and Training Center"	Gavar
	"International Centre for Human Development"	Vanadzor
	"Urban Foundation for Sustainable Development"	Dilijan
Azerbaijan	Центр «Медиа и Общественные Инициативы» Centre for " Media and Civic Initiatives	
	"Democracy Learning" Public Assosation	
	Центр к Гражданскому Обществу Centre for Civil Society	
	CSO for Hynamitarian Regional Development – "ARAN"	
	Solidarity Among Women" PU	
Belarus	NGO "Legal Transformation Center"	Culture Department of Verhnedvinsk District Executive Committee
	Gomel Regional Public Association "Civil Initiatives"	Deputy of Baranovichy City Council
	The Civil initiative "For New Smalevichy"	
	NGO"Chernobyl-Belarus Union"	
	Public Initiative "The Movement for Freedom"	
	Public Assotiation "The Educational Center POST"	
	ASDEMO (Stands of Assotiation of Children and Youth)	
	NGO "Belarusian Organization of Working Women" (BOWW)	
Georgia	Resource Center for Society Development – "ERANI"	Sakrebulo of Ozurgeti Municipality
	Civil Development Agency	Sakrebulo of Batumi city
	Georgian Civil Development Association	Sakrebulo of Zugdidi Municipality
	Democratic Development Union of Georgia	Sakrebulo of Telavi Municipality
	Civil Society Institute	Sakrebulo of Lagodekhi Municipality
Moldova	"Institute for Urban Development, NGO	Mayoralty of Paulesti village, Calarasi district
	Institute for Public Policy, NGO	Chisinau City Hall
	Instititute for Conflict's Resolution "INRECO", NGO	Briceni Town Hall
	"Cutezatorul", NGO	Ştefan Vodă Town Hall
	"Business Consulting Institute", NGO	Mayoralty of Festelita village
Ukraine	Ukrainian Association of small city	Olevsk City Council
	Radekhiv Development Agency	Bobrynets City Council
	Committee of voters' of Ukraine, Kherson branch	Perechyn City Council
	Social Research Institute	Ukrainka City Council
	New Generation	Muzykivka Village Council