

# WORKING TOGETHER – DECIDING TOGETHER

CHERNIHIV  
21 NOV. 2014



## **Purpose of seminar:**

*To present, and have conversations about, challenges and best international and domestic practices of public participation in local decision-making.*

*To explore priority spheres of collaboration between public and civic sectors and of participation mechanisms that meet such needs.*

*To prioritise the relevant mechanisms and to create a first draft of how these platforms could be established and moved forward*

## *Civil participation in decision-making at the local level; what needs to be done?*

On 21. November close to 40 representatives from local government, NGOs and media met at the Hotel Ukraine to explore how civil society could get more influence in decision-making on a local level.

During the first part of the seminar representatives from local government and the UCIPR gave input on the framework that the present legislation offers and a perspective on present local practices.

This was followed by a presentation by Anna-Karin Berglund; “The Code of Good Practice” giving an international perspective on the topic.

The afternoon was dedicated to conversations around two main questions:

*“What are the priority areas where we see a need for public participation and influence.?”*

*“Through what mechanisms can we achieve influence of the chosen priority issues?”*

The November meeting will be followed up in December where the suggested ways forward will be further concretised.

*The following is a short summary of the days events.*

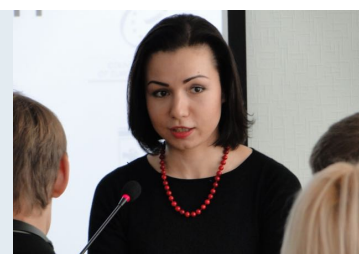
## **Welcome**

Anastasia Krasnosilka Dashkevych, UCIPR, welcomed everyone and invited for a minute of silence to honour the 10 Ukrainians who were killed the day before and the anniversary of the revolution of dignity.

We need reforms. We are all convinced how the reforms should be implemented but we need mechanisms of co-operation where local and regional governments give us a say and take our input into account. The aim of today is to identify priority areas and then discuss tools of co-operation and implementation. The outcome we hope for today is a clear list of tools to support the democratic process.

NO EXPERT FROM KIEV CAN KNOW YOUR TOOLS BUT WE CAN HELP YOU DRAFT PROPOSALS, WE CAN GIVE YOU A FISHING ROD BUT NOT THE FISH.

ANASTASIA KRASNOSILKA DASHKEVYCH



## Andriy Pan

### Chernihiv City Administration

Andriy shared the recent developments in Chernihiv. Starting in 2010 there have been a number of initiatives e.g. public councils and programs with grants. All of the initiatives have been done under the guidance of Colleagues from UCIPR.

In 2013 everyone helped the political campaign until the autumn brought a sharp turn. Andriy mentioned that whereas the past two years there were many tenders for projects and grants, this year the economy has been so strained that no tenders have been arranged.

Although civil organisations have been involved in consultations, Andriy expressed that it seems that consultation is not popular in the civil society judging by the fact that there were 20 proposals on the website and only 5 of them had some feed-back.

The offer is to help civil society with information of events taking place and reform charter tasks, round tables, conferences etc. everything that does not need funding.



Andriy Pan

***“Citizens can do anything that is not against the law. Authorities can do anything stipulated by the law.”***

Sergiy Pinchyk



## THE LEGAL FRAMEWORK AND THE LOCAL PRACTICE

### **Sergiy Pinchyk**

In response to a question and answer session following Andreys input. Sergiy mentioned that the challenge of limited resources is a universal one. The main resource lies in civil society, when civil society is involved less money is needed to meet the challenges. All of us want to live in a good life. We need to develop tools to communicate with officials, taking into account the local situation.

Serghyi proceeded to look at the legal framework. Article 5 says that the single source of power is the people and state authorities are allowed to do everything within the law. The legal framework offers several forms of influence even if procedures are not always clearly defined e.g.

#### Public meetings

Local referendums; decisions taken at referendums are obligatory to execute. Referendums are defined by law, but the previous law was cancelled and the law on local referendum is now missing.

General meetings; decisions are taken into account.

Putting an issue on the agenda of the local city council; a draft resolution can be submitted by citizens if this tool is included in the charter.

Local decision/initiative suggested by local people and submitted to the council should be taken into account Public hearing is a meeting with a deputy; local people can attend. Public Hearings should be held at least once a year.

There is also a law of free access to meetings e.g. in the City Council and a separate law for local self-organising bodies on the level of a city or village.

Serghyi concluded that even if there is a legal framework it is not always easy and clear. Everything could be simplified and specified.

**Ivan Lukerya** mentioned that there is a tendency to be active during elections but then after voting people tend not to engage actively in the government process. We need to raise public awareness.

Participatory democracy means that the public participates between elections, not just to talk about far-fetched ideas but about practical issues e.g. land use, budgets, procurement, price of food in schools etc.

Ivan then proceeded to introduce the local status and practices.

Major instruments for engagement are e.g. local referendums, general meetings, public hearings, self-

organising bodies, autonomous independent bodies, Council sessions, Committees etc. Ivan underlined that there is open access to all these events.

Even though the possibilities are present, practical life can be more complicated e.g. to organise a public hearing one would need to submit the proposal to the Major and collect 1000 signatures. Someone had counted that it would take approx. 15 business days to initiate a public hearing. - In other places the process is easier.

Ivan gave an example from Warsaw, where a citizen was presenting an issue to the Warsaw government. Deputies of governments do not want street protests. There is a call to co-operate. "Approach authorities with suggestions and proposals not just criticism. It takes 1 deputy of the City Council to put forward a vote for amendments."

## INTERNATIONAL STANDARDS AND BEST PRACTICES FOR CIVIC PARTICIPATION IN DECISION-MAKING ON A LOCAL LEVEL.

*An introduction to the "Code of conduct" by Anna-Karin Berglund from the Swedish Association of Local Authorities.*

Anna-Karin mentioned that in her everyday work she supports municipalities and the County Councils in dialogue with citizens.

Anna-Karin then introduced the Code. It was initiated in 2007 by the "Forum for Future Democracy". The initial work was done by NGOs of Europe, who are the authors of the Code. It has then been adopted by the European Council, regional and local authorities in member states and NGOs. The inspiration for the code was that citizens often did not understand nor trust the political process.



Anna-Karin Berglund presented the Code

## INTERNATIONAL TRENDS

Anna-Karin then talked about international trends and experiences e.g. There is a demographic, economical and social crisis and a struggle between increasing welfare demands and a tight economic climate. Another trend is involving user in co-creating solutions. We need to move away from a system where citizens are consumers to one of co-creation.

*"We are living under our means, because we have neglected the abundance in our communities"*

## FROM INFORMATION TO CO-CREATION.

After lunch Toke Paludan Møller and Monica Nissen from InterChange, Denmark facilitated a conversation on priority areas and the mechanisms needed for influence.



NGOs should take part in policy making. The code gives indications how to manage the process while it also allows for experimentation.

There are **different levels of participation** starting with *information (the lowest level of participation)* to *consultation*, to *dialogue* and finally *partnership or co-creation (the highest level of participation)*.

Anna-Karin then explained **the cycle of political decision making** starting with *agenda setting*, then *drafting*, *decision making*, *implementation*, *monitoring* and *reformulation*.

Combining these two parameters offers a matrix, which can be used as a tool for analysis.

*"We need to move away from the view of citizens as passive consumers of welfare to one where citizens are co-creators."*



Toke shared how Denmark 200 years ago came out of state a bankruptcy through four social reforms; compulsory education for children, adult-education, land-reform and a democratic constitution.

## CO-DEFINING PRIORITY AREAS FOR PUBLIC PARTICIPATION IN DECISION-MAKING

The first conversation was about:

***What are the priority areas where we see a need for public participation and influence?***

The priority areas were identified in small group conversations and they were then prioritised by level of impact using a simple voting process. The result of the prioritisation was:

1. Transparency re. local authorities	43 votes
2. Anti-corruption campaign	16 votes
3. Energy efficiency	8 votes
4 Ecology situation	8 votes
5. Transparency on land investments	8 votes
6. Education	6 votes
7. Employment & job-creation	5 votes
8. Housing and tariffs	4 votes
9. Development of cultural policy	3votes
10. Budgets	3 votes

### Collaborating to define mechanisms to achieve influence on the chosen priority areas

Groups were then formed around the five highest prioritised areas to further work on the topic. Everyone could choose the group of their preference. Each group looked at how the chosen area could be moved forward or more precisely answering the question:

***“Through what mechanisms can we achieve influence of the chosen priority issue?”***

At the end the groups shared their key insights, recommended actions, next steps and who were willing to move the chosen topic or issue forward.

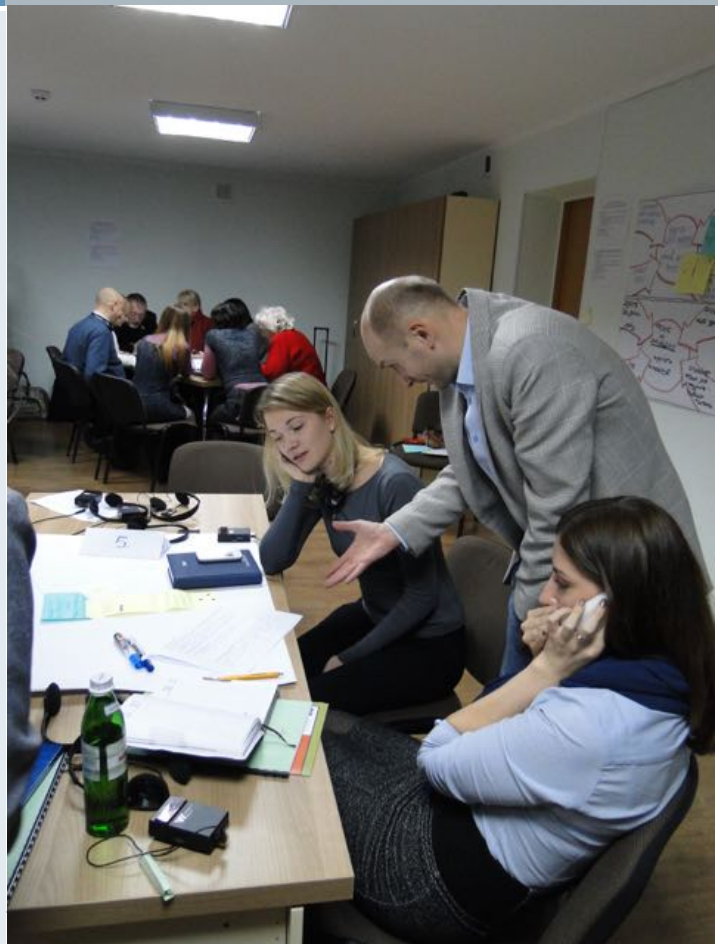
## CONCLUSIONS AND NEXT STEPS

Anna-Karin thanked everyone and offered a reflection that during the day we had actually moved through all stages of information, consultation, dialogue and partnership.

Anastasia closed the meeting by saying that It has been a productive effort although there are still many questions. Some have touched on issues belonging to the parliament, and advocacy may take 3-4 years before any change is seen.

The group that worked on public hearings had two local representatives who committed to submit the proposal to the local government.

The meeting in December will focus concretising proposals and how to best submit them the local authorities.



UCIPR offered support if any of the workgroups needed advice.

The follow-up meeting in Chernihiv will be on 12 December 2014