

# CITIZEN PARTICIPATION IN SELF-GOVERNANCE

STUDY

2009



***The Civil Society Institute, with the financial support of the Open Society – Georgia Foundation, has conducted a study on civil participation in self-governance. The present publication provides a synopsis of the study.***

***Please see the full version in Georgian.***

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## contents

<b>Synopsis</b>	<b>4</b>
<b>Foreword</b>	<b>4</b>
<b>First Component – Legislation</b>	<b>5</b>
<b>Second Component – Population Research</b>	<b>7</b>
<b>Third Component – Self-Governance Servants and the Civil Society</b>	<b>9</b>
<b>Fourth Component – Donor and Civil Society Organizations Intervention</b>	<b>13</b>
<b>Conclusions</b>	<b>15</b>
<b>Recommendations</b>	<b>19</b>

## Synopsis

### Foreword

This study is dedicated to civil participation in Georgian self-governance bodies.

Civil participation in the government's activities and decision-making process is a crucial component of democratic theory and practice. This component gains particular importance in regard to local authorities, and namely self-governance bodies. It could be said that civil participation is a cornerstone of self-governance. World practice is familiar with many various mechanisms of civil participation and engagement at a legislative level, as well as in both traditions and civic culture. The effectiveness of self-governance bodies is to a great extent dependent on the proper functioning of these mechanisms. Clearly, this issue is of concern to Georgia, particularly after enlarged self-governance bodies were formed in the country starting in late 2006, as well as reforms to the field of self-governance. As self-governance bodies enlarged, the distance between local authoritative agencies and the population increased. This underscored the importance of making accessible mechanisms to ensure effective communication between the population and self-governance bodies, to ensure the transparency and accountability of these bodies, and also to promote the public's active engagement in resolving issues of local importance.

The Organic Law on Local Self-governance and the Law on the Capital of Georgia - Tbilisi provide general principles on civil participation in self-governance, while detailed legal mechanisms in this respect are null and void. In an attempt to fill the legislative gap, the Georgian Parliamentary Committee on Regional Policy, Self-Government and Mountainous Regions developed recommended regulations for Sakrebulo and Gamgeobas, which among other issues identify the mechanisms of transparency and accountability of self-governance bodies and civil participation in their activities.

Under the existing circumstances, the effective normative environment in the country must be analyzed in close detail, as should the existing practices of participation, publicity and accountability. In this regard, it is important to examine the opinions and attitudes of the major players in the field – the population, local self-governance bodies and civil society representatives. All the above enable us to draw specific conclusions on the situation and develop the respective recommendations. Research materials will be useful for central and local authorities in the subsequent process of reforming self-governance, as well as for civil society organizations and donors operating in the field.

Taking this all into account, the Civil Society Institute developed and implemented a detailed study of legal regulations and civil participation practices in self-governance activities with financial support from the Open Society – Georgia Foundation. Provided below are a brief summary and major findings of the study.

### Objective

The study's chief objective was to examine the level of civil participation in self-governance body activities and develop recommendations to increase the figure.

### Goals

The study's major goals are:

- To examine the effective legislative environment regulating issues of participation, publicity, and accountability in regard to self-governance agencies;
- To analyze the level of publicity among self-governance bodies, the population's engagement in the decision-making process, and the degree of accountability of self-governance bodies before the general public;
- To study projects implemented by the donor and non-governmental organizations (NGOs) in the field of self-governance to identify what type of intervention had been held in the past two years in this regard and what outcomes they have yielded;
- To develop recommendations for raising the level of awareness of self-governance body activities, civil participation in the decision-making process, and accountability of self-governance bodies before the general public.

## **Design**

In light of these major goals, a five-component study design was developed to paint a clear picture of the field. Under the first component, a legislative environment regulating the field was analyzed. Under the second and third components, the level of civil participation in self-governance body activities was examined, as well as the general public's awareness of these activities. The publicity of self-governance body activities, by all interest groups, was also analyzed (population, self-governance civil servants and civil society representatives). Under the fourth component, implemented activities and achieved results by donor and civil society organizations were studied. Afterward, as a fifth component, conclusions were drawn and recommendations were developed with the help of leading experts in the field. <sup>1</sup>

### **First Component – Legislation**

The study's first component examined the legislative environment regulating the field to identify the institutional mechanisms of civil participation, awareness and accountability.

Self-governance bodies are guided by the Organic Law on Local Self-Governance while executing their activities. In Tbilisi, they are also guided by the Law on the Capital of Georgia - Tbilisi. These laws contain articles related to publicity, civil participation and the accountability of civil servants before the public. Namely:

- Sakrebulo sessions are open and public;
- Citizens have the right to receive public information from a local self-governance body and public servants;
- The minutes of Sakrebulo sessions are accessible to the public. Citizens have the right to get familiar with draft decisions of a local self-governance body in advance and participate in their examination;
- Citizens have the right to request to publish draft decisions and hold public discussion. No less than three percent of the total number of registered voters on the territory of a self-governance body has the right to request to call a special Sakrebulo session. A special Tbilisi Sakrebulo session is held upon the request of no less than 10,000 voters registered in Tbilisi;
- No less than 3,000 registered voters in Tbilisi have the right to initiate legislative acts in the Sakrebulo by signing a respective petition;
- A Sakrebulo member is obliged to meet citizens and report their completed work at least once a year.

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<sup>1</sup> Components of the Research comprise as Gamgeobas, so City Halls. As simplify the text, below you will find the term "Gamgeoba" that implies both - Gamgeoba and City Hall.

Unlike the above laws, publicity, civil participation and accountability mechanisms in the local self-governance body activities are described almost in full by the recommended regulations of Gamgeoba (City Hall) and Sakrebulo developed by the Georgian Parliamentary Regional Policy, Self-Government and Mountainous Regions Committee. The recommended regulations in the Gamgeoba contain 12 articles about civil participation, publicity and accountability, while Sakrebulo-related regulations include 49 articles. Although these regulations are only recommendatory, they offer much more than effective mechanisms compared to effective legislation. Therefore, we found it reasonable to base the study on these regulations and compare them with the effective regulations of self-governance bodies.

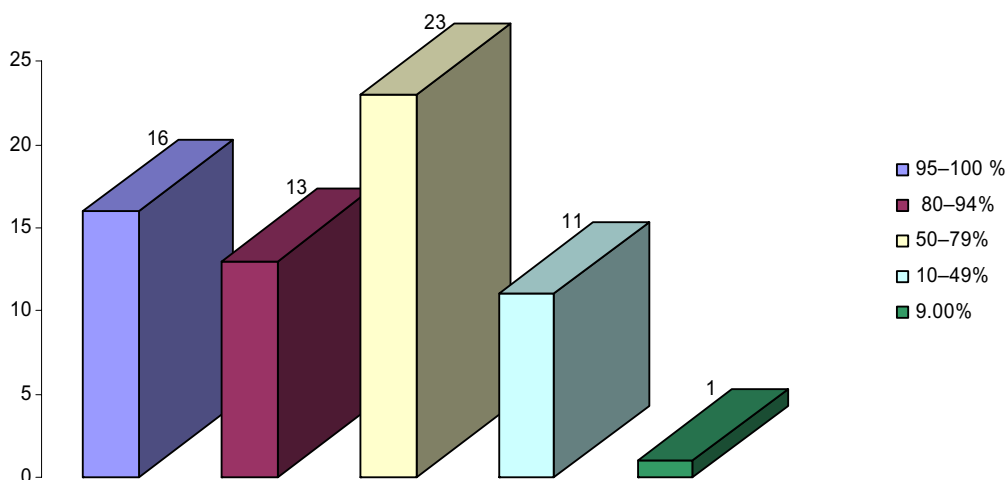
During the research, the regulations of 64 Gamgeobas and 64 Sakrebulos were studied, as was the staff of 59 Gamgeobas, the financial and budgetary offices of 61 Gamgeobas and the staff of 63 Sakrebulos.

The recommended regulations for Gamgeoba and Sakrebulo were divided into three criteria – publicity, participation and accountability – to identify the level of compliance of local self-governance body regulations with the recommended regulations and norms.

The articles of both self-governance body regulations and recommended regulations were compared. The results allowed us to analyze separately the issue of participation, publicity and accountability in Sakrebulos and Gamgeobas, as well as to study self-governance bodies as a whole. Based on our findings, we identified the following picture:

- The regulations of 16 self-governance bodies are in full compliance with the recommended regulations.
- The regulations of 13 self-governance bodies are in significant compliance with the recommended regulations.
- The regulations of 23 self-governance bodies are in partial compliance with the recommended regulations.
- The regulations of 11 self-governance bodies are in low compliance with the recommended regulations.
- The regulations of only 1 self-governance body are not in compliance with the recommended regulations.

**Diagram #1. Quantitative Distribution of Self-Governance Bodies by Compliance with Recommended Regulations**



From among the examined self-governance bodies, the highest indicators of compliance were found in the Kazbegi, Oni, Kharagauli, Baghdati, Tskaltubo, Zestaponi, and Ozurgeti municipalities. The lowest was found in the city of Poti.

### **Second Component – Population Research**

The major objective of the study's second component is to examine civil participation and awareness in self-governance body activities, as well as the publicity of self-governance bodies.

In light of the study objective, quantitative research was conducted among the adult population. The research covered 20 self-governance bodies in 10 regions of Georgia and Tbilisi. A total of 1,449 respondents were interviewed. A semi-structured questionnaire was used as an instrument. Face-to-face interviews were used as a technique for data collection. The output of the research was defined three-fold: regional summary data (by researched self-governance bodies); data from Tbilisi; and data from each region.

**Population Awareness.** As the research data demonstrated, the population residing in the areas of the studied self-governance bodies is basically aware of their self-governance rights and self-governance body activities. However, the population's awareness contrasts strongly from region to region. In some regions, the population's level of awareness is relatively high. For instance, the Guria, Racha and Mtskheta-Mtianeti regions showed the highest results in terms of awareness. Meanwhile, the Shida Kartli and Kakheti regions proved to be the least informed. Remarkably, compared to other regions, low indicators of awareness were found among the Tbilisi population. Apart from the above, the general data on population awareness are as follows:

- ⇒ 42 percent of respondents interviewed in the regions are aware that Sakrebulo sessions are open and any citizen has the right to attend. This number is 25.6 percent in Tbilisi.
- ⇒ 21.5 percent of respondents interviewed in the regions are aware that some registered voters in the territory of the self-governance body have the right to call a special Sakrebulo session. Only 8.1 percent of respondents in Tbilisi are aware.

- ⇒ 39.5 percent of respondents know that any person has the right to get familiar with a self-governance body draft budget. The awareness of the Tbilisi population is higher in this respect at 45.7 percent.
- ⇒ Even though slightly more than half the population receives information about the self-governance body draft budget, 31.2 percent know they have the right to submit comments and proposals regarding the draft budget. This number is lower in Tbilisi at 15.8 percent.
- ⇒ The rural population is more aware than urban population. For instance, almost every other rural resident is aware of his right to get familiar with a self-governance body draft budget (44 percent), while this figure is only 34 percent in urban areas.
- ⇒ The level of population awareness depends on education and employment. A population with a professional and higher education is better informed than a population with a secondary education. As for employment status, in view of their active public work, the employed are best informed about the activities of their self-governance bodies.
- ⇒ The level of awareness differs by age categories. The population in the 45-64 age group is the most informed. The lowest figures in this regard were identified among the elderly (65+ years of age).
- ⇒ The population receives information on the activities of self-governance bodies mostly from television or friends and acquaintances. Notably, print media represents a significant source of information on draft projects for both the regional and Tbilisi population.

**Citizen Participation.** Research data showed that a segment of the population is active in attending Sakrebulo sessions, calling special Sakrebulo sessions and submitting proposals and comments on self-governance body draft budgets. Considerably active in this respect are the Racha and Guria populations, while the Shida Kartli and Samtskhe-Javakheti populations are relatively passive. The research also showed that the population is not well aware of the legal procedures of participation mechanisms. The data on civil participation in self-governance body activities are as follows:

- ⇒ 5.1 percent of the population interviewed in the regions has attended Sakrebulo sessions, while at the same time 81.5 percent did not have a desire to attend at all. The highest results were seen in Racha and Guria, and the lowest in Shida Kartli and Samtskhe-Javakheti. 2.2 percent in Tbilisi have attended Sakrebulo sessions, while 87.4 percent did not have a desire at all. Notably, the indicator is higher for attending Sakrebulo sessions in rural-type settlements than in cities. At the same time, the experience of attending Sakrebulo sessions is greater among individuals who have a higher and professional education and who are employed. The majority of respondents who have attended Sakrebulo sessions said they have faced no obstacles in doing so.
- ⇒ 2.7 percent have in one way or another participated in calling a special Sakrebulo session, whereas no Tbilisi residents have been involved in calling a session.
- ⇒ 4.3 percent have submitted their own proposals and comments on self-governance body draft project. However, only a few did so in writing. As the research revealed, such proposals and comments were made verbally and mostly to trustees or staff members of self-governance bodies. No respondents from Tbilisi have submitted proposals and comments on the draft budget.
- ⇒ Approximately one-fourth of respondents receive information about self-governance body activities from various sources, but only 2.5 percent requested information via official procedures. According to 87.4 percent of respondents, self-governance bodies provide incomplete information, and often they do not issue the requested information at all.

**Self-Governance Body Communication with Population.** Communication between Gamgeoba trustees and the population was highest in Mtskheta-Mtianeti, Racha and Guria, and lowest in Kvemo Kartli, Samtskhe-Javakheti and Samegrelo-Zemo Svaneti. As the research showed, trustees represent a more or less effective route of communication between the population and self-governance bodies. Periodic meetings of Sakrebulo members and Gamgeoba representatives with the population are not held in a number of self-governance bodies. Meanwhile, where such practices exist, meetings are held mostly once a year. Basic data on communication between self-governance bodies and the population are as follows:

- ⇒ 46.5 percent of respondents noted that the Gamgeoba trustee holds periodic meetings with the population. Among them, 15.9 percent said the meetings are held on a quarterly basis, while 8.7 percent said the meetings are monthly.
- ⇒ 38 percent said the Gamgeoba trustee is concerned with the problems of residents on his own initiative. 32.1 percent said the trustee prioritizes the problems identified by the population.
- ⇒ Self-governance executive body representatives are more active with the population than Sakrebulo members. 51.6 percent of the population in the regions said Gamgeoba representatives hold periodic meetings with the population, while 31.9 percent noted meetings organized by Sakrebulo members. Only 17.2 percent of the population in Tbilisi said that Gamgeoba representatives hold periodic meetings with the population, and only 15.5 percent noted periodic meetings by Sakrebulo members.
- ⇒ In terms of periodic meetings with the population, Sakrebulo members and Gamgeoba representatives are more active in rural than urban areas. 38 percent of the rural population and 25 percent of the urban population said Sakrebulo members hold meetings with them at least once per year. The Gamgeobas figures are higher in rural and urban areas – 60 and 42 percent, respectively.
- ⇒ 13.5 percent have turned to trustees for help communicating with the Gamgeobas, while 72.9 percent did not have such a need. 66.5 percent (who have not made such requests) said the trustees helped them to communicate with the Gamgeobas.

### **Third Component – Self-Governance Servants and the Civil Society**

The study's third component has the same objective as the second – to study the degree of civil participation in self-governance body activities, as well as their awareness of these activities, and to analyze the publicity of self-governance body activities. We obtained the information from self-governance civil servants and civil society representatives.

The area of the research covered 20 self-governance bodies in 10 regions and Tbilisi. The data collection technique applied to self-governance civil servants was in-depth interviews, and focus groups with civil society representatives. In total, 21 focus groups and 40 interviews were held. We received information from Tbilisi City Hall and Sakrebulo in writing. The output of the research was defined three-fold – to summarize data from the regions, Tbilisi and all selected self-governance bodies.

As expected, the research demonstrated that the information received from civil society representatives was in number of cases radically different from the information received from self-governance body civil servants. Nevertheless, there were also consistent and close figures. It should be noted that the information garnered under this research

component mainly confirms the information received under the population research component. Also, in number of cases the information fairly or radically differs.

**Population Awareness.** The research revealed that self-governance bodies more or less ensure the population is aware of their own activities. Sakrebulo mostly post information on scheduled sessions on notice boards at administrative buildings. Only several Sakrebulo press services disseminate information on sessions (Guria, Kakheti, Gori, and Akhaltsikhe). In regions where local television stations operate and local newspapers are published (Adjara, Shida Kartli, Kakheti, Tbilisi), sessions-related information and taken decisions are disseminated in the form of TV plots and newspaper articles. Hence, in the event of interest, information on session dates and agenda are accessible. However, the degree of interest is too low.

From the viewpoint of receiving public information, population interest is low as well. Several self-governance body representatives said residents have never requested this kind of information (Keda, for example). Representatives of NGO or political parties are more interested in the information. The terms established by law for requesting public information are rarely violated. However, separate instances of delays in issuing public information were identified in seven self-governance bodies (Mtskheta, Keda, Poti, Dusheti, Kutaisi, Akhaltsikhe, and Tbilisi).

The majority of interviewed civil servants said information about Sakrebulo activities is processed and disseminated, but only five specified their form and intensity – an annual report in Lanchkhuti and Telavi, a weekly bulletin in Samtredia and Lagodekhi, and informational brochures in the Rustavi self-governance body. Notably, NGO representatives in these self-governance bodies (except Rustavi where information is disseminated cooperatively with an NGO) said Sakrebulo does not disseminate any information upon its own initiative.

As for media attendance at Sakrebulo sessions, representatives attend although special seats are rarely allocated for the media in most self-governance bodies.

Most Gamgeobas post draft budgets on notice boards in their buildings. Gamgeoba representatives of 13 self-governance bodies (Khelvachauri, Ambrolauri, Rustavi, Keda, Zugdidi, Poti, Lanchkhuti, Dusheti, Gori, Samtredia, Akhaltsikhe, Telavi, Kutaisi) publish posted budget announcements in the local press. One (Ambrolauri) publishes only certain aspects of the draft budget in a local newspaper. Only six self-governance bodies (Zugdidi, Lanchkhuti, Ozurgeti, Samtredia, Kutaisi, Tbilisi) use a Web page or the Internet to post a draft budget. Two Gamgeobas (Samtredia, Lagodekhi) spread their draft budgets through a bulletin. Three Gamgeobas (Mtskheta, Kaspi, Akhalkalaki) do not publish draft budgets. One (Akhalkalaki) covers separate aspects of the draft budget on local television, and one other (Mtskheta) only publishes the approved budget.

The majority of Gamgeobas administer a public information register. Mainly they do not violate legal deadlines for issuing the information. Often they issue information even in the shortest of terms or immediately. Problems related to the terms for issuing the information were only identified in six Gamgeobas.

In most Gamgeobas, operative information on Gamgeoba activities is not prepared and disseminated. Information is provided to citizens through public meetings or materials published in the local press. The Ambrolauri Gamgeoba has published information as a report in a local newspaper. Akhalkalaki publishes an annual report. Rustavi and

Lagodekhi publish bulletins. The Gamgeobas of four districts (Poti, Kaspi, Samtredia, Kutaisi) disseminate their information online. Some Gamgeobas (Dusheti, Akhaltsikhe) posts such information on notice boards. Gamgeoba representatives of only three self-governance bodies (Gardabani, Keda, Zugdidi) stated that operative information on Gamgeoba activities is not processed and published, although requests can be made.

**Citizen Participation.** In most Sakrebulo, there is a low level of civil participation in terms of attendance at bureau and commission sessions due to little interest and passiveness. Interviewed self-governance civil servants and civil society representatives note that if the population shows an interest toward attending the sessions, no one will hinder them. In this regard, citizens approach the Sakrebulo with an appeal only when problems being discussed are pertinent to their lives. Similar cases were confirmed in eight self-governance bodies (Ambrolauri, Gardabani, Mtskheta, Poti, Lanchkhuti, Dusheti, Kutaisi, Lagodekhi), while representatives of three self-governance bodies (Akhaltsikhe, Gori, Akhalkalaki) noted that the sessions are open and addressing them is not necessary at all.

Most self-governance body representatives said public representatives are invited to interim working groups established at Sakrebulo commissions. However, civil society representatives rarely confirmed these statements.

From among the interviewed self-governance bodies, representatives of only four units (Rustavi, Ozurgeti, Lanchkhuti, Dusheti) said “open-door sessions” are held in their Sakrebulo. Nevertheless, civil sector representatives confirmed statements of only two self-governance bodies (Ozurgeti, Lanchkhuti, where “open door-sessions” are held several times per year). In one self-governance body (Kutaisi), an NGO had an initiative to hold such session on a specific issues. However, the initiative was not discussed.

Representatives of only four self-governance bodies said Sakrebulo field sessions were held (Khelvachauri, Mtskheta, Akhalkalaki, Tbilisi). According to these individuals, upon voter request, a session was held for a second time in Mtskheta. However, civil society representatives in Mtskheta and Tbilisi did not confirm that the session was held, although they themselves mentioned that field sessions were conducted in Akhalkalaki.

From among the interviewed self-governance bodies, representatives of only four said special Sakrebulo sessions are held (Khelvachauri, Keda, Dusheti, Lagodekhi). However, they confirmed that they are not held upon civil request, but rather upon the Sakrebulo’s initiative. Representatives of eight self-governance units (Mtskheta, Rustavi, Keda, Poti, Kaspi, Samtredia, Akhaltsikhe, Lagodekhi) said public discussions of issues were held, while focus group participants did not confirm the information from two of these bodies (Mtskheta, Rustavi). In one body (Keda), a session was held at the Sakrebulo’s initiative, in another (Kaspi) upon the verbal request of the population and in one more (Akhaltsikhe) upon the official request of NGOs. Public discussions on draft budgets were held in two self-governance bodies (Lagodekhi, Poti).

The general population has not submitted draft legal acts through petitions in any of the interviewed self-governance bodies. As the self-governance civil servants said and civil society representatives often confirm, Sakrebulo express readiness to ensure civil participation by means of “open doors”, field and special sessions, public discussions, or by satisfying petition requests. However, the population is inactive.

Gamgeoba representatives of 12 self-governance bodies said public discussions on draft budgets are organized at the Gamgeoba session hall, as well as at field meetings in

villages with NGOs and media representatives. The degree of civil participation is not high – society is less active. One district Gamgeoba (Lagodekhi) always holds public budget discussions prior to adopting them by notifying NGO and media representatives, and by broadcasting on the radio the commencement date of public discussions.

Public discussions of draft budgets are not held in eight self-governance bodies (Ambrolauri, Gardabani, Mtskheta, Kaspi, Dusheti, Gori, Kutaisi, Akhalkalaki). Regardless, civil servants note that discussions are held within the relevant offices and commissions, and in case of interest attendance is free for citizens.

Gamgeobas of 13 self-governance units (Khelvachauri, Mtskheta, Rustavi, Keda, Zugdidi, Ozurgeti, Lanchkhuti, Samtredia, Kutaisi, Akhaltsikhe, Akhalkalaki, Lagodekhi, Tbilisi) have received proposals and comments on draft budgets from the public, and one (Rustavi) only once – on social matters. NGOs have only submitted comments which were taken considered by four of the above Gamgeobas (Zugdidi, Samtredia, Kutaisi, Lagodekhi).

***Communication of Self-Governance Bodies with Population.*** Representatives of most Sakrebulo hold meetings with the population periodically. They go out to villages and talk with the population. At these meetings they provide them with information about their activities. Some self-governance body representatives said during regular meetings with the population, discussing their problems and reporting on implemented activities happens naturally. Only in eight self-governance bodies (Gardabani, Oni, Keda, Poti, Kaspi, Lanchkhuti, Akhalkalaki, Ambrolauri) the Sakrebulo's official submission of a report to the population periodically was identified. Remarkably, civil society representatives did not confirm these facts in some of the above bodies.

In relations with the Sakrebulo, civil sector representatives rarely address their central staff. Most use private contacts to organize meetings or prepare materials. Only in two self-governance bodies (Rustavi, Poti) were the central staff's maximum assistance and support identified. In the remaining self-governance bodies, the central staff is at times approached and at times not approached.

Issues related to Sakrebulo member meetings with the population are regulated almost the same way in most self-governance bodies. With or without an officially fixed time for meeting with citizens, representatives of almost all bodies noted that Sakrebulo members meet with the citizens without any restrictions. Eleven self-governance bodies fixed these meetings officially.

As to Gamgeobas, public officials have officially scheduled days for meeting with citizens almost in all of the self-governance bodies. Yet, most officials meet with the population at any time without restrictions. The Gamgebeli, or mayor, meets with citizens only on fixed days in eight Gamgeobas (Zugdidi, Poti, Kaspi, Gori, Samtredia, Kutaisi, Akhalkalaki, Lagodekhi) through applying to the administrative personnel. In this case, the central staff and heads of offices meet with citizens without restrictions or scheduling. City Hall officials meet with citizens based on how reasonable the issue is only in Tbilisi. According to a Tbilisi City Hall representative, meetings with the mayor and other City Hall officials are organized by the Organizational Service of Tbilisi City Hall Administration based on the application and the issue's relevance. Meanwhile, in number of cases, civil problems are examined on the spot in their residential districts. Besides holding individual meetings with citizens, Gamgeobelis and Gamgeoba officials pay field visits to the population in the territorial units. Gamgeoba trustees meet with citizens on a regular basis – almost every

day. However, these meetings are informal, as trustees are residents of the same villages. They do not meet with their co-citizens in a specific format. In several self-governance bodies (Oni, Poti, Gori) trustees present the problems of residents to the Gamgebelis on a scheduled weekly basis. Only in four municipalities (Ozurgeti, Zugdidi, Lagodekhi, Akhalkalaki), Gamgeoba representatives identified regular meetings between trustees and the population – every Monday in Ozurgeti, at least once a month in Zugdidi, and on a monthly basis in Akhalkalaki and Lagodekhi. Trustees meet with the population when necessary in Dusheti. According to the Samtredia Gamgeoba representative, he does meet with the population, but residents still address the Gamgeoba when a problem emerges owing to his limited authority.

Gamgebelis do not present reports to the population under the established form and periodicity. In most self-governance bodies they provide information to the population during field visits in an informal format and under a varying periodicity – once per year (Khelvachauri), once per week (Ambrolauri, Keda), twice per week (Dusheti). In several self-governance bodies (Mtskheta, Rustavi, Oni, Keda), Gamgebeli has not presented a report to the population as one year has not yet expired since they began exercising their powers (the reporting period has not yet come). Notably, the Gamgebelis of these self-governance bodies have met with citizens and discussed their activities. The Zugdidi and Lanchkhuti Gamgeobas publish reports submitted to the Sakrebulo in local newspapers. The Poti and Kutaisi mayors provide information to the population and respond to their appeals via TV broadcasts. The Kaspi Gamgebeli delivers a report and prepares a reporting brochure once per year. The Lagodekhi Gamgebeli holds a reporting session twice per year. According to the Akhalkalaki Gamgeoba, reporting sessions are held twice per month, however, civil society representatives did not confirm this information.

***Rural Assistance Program.*** In the opinion of respondents, the "Rural Assistance Program" was rather successful and actively engaged the population in the process of identifying and prioritizing local problems. The program was elaborated by the Georgian government's Resolution No. 35 dated January 20, 2009. In the framework of the program, meetings with the population were held. A Gamgeoba trustee organized meetings with residents to identify their needs and priorities in every village. In a number of cases, the meeting minutes were drawn up and the priorities identified by the population were submitted to the Gamgeoba in the form of a written protocol. Representatives of self-governance bodies and civil society confirm that the program (despite certain flaws – criteria for selecting villages, lack of funds, procedures) ensured a high degree of population participation in the process of identifying and prioritizing problems.

#### **Fourth Component – Donor and Civil Society Organizations Intervention**

As part of our study on civil participation in local self-governance body activities, we looked at projects implemented in the past two years by the donor and NGOs operating in the field of self-governance (until February 2009).<sup>2</sup> The study showed that a major component in many projects implemented to improve self-governance is promoting civil participation in the decision-making and enforcement process. Thus, we had to examine all the projects mentioned. The collected material will foster project-planning consistency by donor organizations, portray the capabilities of NGOs, as well as their completed activities, and provide these organizations with an image of a stable partner.

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<sup>2</sup> Information on the projects is based on materials provided by the donor and NGOs.

In total, we obtained information on 109 projects. We assume that the total number of projects should represent 90-95 percent of the projects implemented in the past two years. Parts of the projects were launched in 2004, 2005 and 2006. However, the activities ran through 2007 and 2008 or even until present. The activities of most projects began in 2007 and 2008, and have now completed. Part of the activities will run until 2009 and 2010.

Projects can be divided into several categories – projects oriented on institutional and economic development of self-governance bodies in individual or all regions. Such projects comprise economic development plans and promoting services, management structure, and infrastructure improvement. In addition, certain projects enhance the enforcement of administrative or local reforms. Parts of these projects foresee the development of a local community or the promotion of local business ventures. Most of these projects envisage components of informing the local population and co-participation. Among the obtained materials, some projects enhance directly the process of communication, participation, and co-participation, and are also oriented on increasing relevant skills and qualification.

Projects implemented in the self-governance field are funded by many donor organizations (international donors – 33, local – 5). An information analysis showed that some donors fund many projects. Other donors fund long-term, three, four and five-year projects. Some donors still have funded only one project. The area of project implementation is significant as well. Some activities cover all self-governance bodies and regions. These are less than half the obtained projects (40). As for the remaining projects (69), some cover one self-governance body and region, while the other cover several self-governance bodies.

At least several projects, or a separate project activity, have been implemented in each region at a regional level and self-governance body level. Certain projects from among the obtained materials indicate specific regions or self-governance bodies as the place of project implementation. "Dividing" all the projects or separate project activities at the level of self-governance bodies turned out to be impossible at this stage. As a result, we provide a regional picture of projects or separate project activities. As for Tbilisi, according to our data, three projects have been implemented in the past two years.

- ✓ Kvemo Kartli – 20;
- ✓ Shida Kartli – 14;
- ✓ Racha-Lechkhumi, Kvemo Svaneti – 9;
- ✓ Imereti – 23;
- ✓ Kakheti – 21;
- ✓ Mtskheta-Mtianeti – 4;
- ✓ Samegrelo-Zemo Svaneti – 3;
- ✓ Adjara – 14;
- ✓ Guria – 23;
- ✓ Samtskhe-Javakheti – 25.

## Conclusions

**1. Civil Participation is Low in Self-Governance Processes.** If we apply the scale of Sherry Arnstein, a well-known researcher on the subject, we are shifting from a non-participation phase to the initial steps of the tokenism phase.<sup>3</sup> A number of factors contribute to the mentioned low level of participation, in particular:

- The level of civil activities among the population is low. This is preconditioned mostly by two factors. First, there is distrust among the population. A significant part of the population believes that this institution cannot solve their problems. Second, the population does not possess sufficient information about the institution overall, or its concrete mechanisms. Remarkably, the population lacks the relevant knowledge and skills to conduct relations with self-governance bodies.
- The existing legislative environment does not provide effective participation mechanisms.
- Self-governance bodies are not proactive with the population. They see that the population is passive, but they do not take adequate measures to resolve this issue. The existing communication and participation mechanisms are also used ineffectively.

**2. The Legislative Environment Does Not Ensure Effective Civil Participation in Self-Governance.** The Organic Law on Local Self-Governance and the Law on the Capital of Georgia - Tbilisi contain the basic principles of citizens exercising their right to self-governance. However, aside from several exceptions, they do not identify the concrete mechanisms and procedures necessary for implementing these principles. Additionally, issues of publicity and participation (freedom of information, right to submit one's own opinion on a draft normative act) are laid out in various legislative acts. However, they are not only applicable to self-governance bodies. On the contrary, they are mandatory for all administrative bodies. Therefore, it could be said that the existing mechanisms do not fully and effectively ensure the principles provided under the legislation and, thus, active citizen participation in self-governance.

**3. Recommended Regulations Offer More Effective Mechanisms Compared to Effective Legislation.** Unlike effective legislation, recommended regulations describe more or less in detail the mechanisms of publicity, citizen participation and accountability in the process of self-governance body activities. Unfortunately, these regulations are of a recommendatory nature only. Their application is not mandatory for self-governance bodies. Due to their non-mandatory character, the recommendations are incorporated at varying degrees in self-governance body regulations. Owing to the above, the population can be actively involved in self-governance activities by applying various mechanisms in one self-governance body, while in other self-governance bodies the population is devoid of this full capability due to the absence of the respective regulations.

**4. Population is Passive with Self-Governance Bodies.** The study revealed that the interest of the population toward self-governance bodies is extremely low. 81.5 percent of the regional population and 87.4 percent of the Tbilisi population did not even have a desire to attend at least one Sakrebulo session. Half the regional population and one-fourth of the Tbilisi population are not at all interested in municipality activities. Only 3 percent of the country's population has addressed the staff of self-governance bodies with

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<sup>3</sup> Arnstein Sherry R. "A Ladder of Citizen Participation". JAIP, Vol. 35, No. 4, July 1969, pp. 216-224.

a request to meet the responsible persons therein.<sup>4</sup> Only 4.3 percent of the regional population said they had submitted comments concerning the draft budget of a self-governance body. However, in over 80 percent of the cases, the comments were submitted verbally. Distrust toward self-governance bodies and their inability to resolve problems were identified as the major reason for civil passiveness. Non-awareness about specific issues also contributes to this passiveness. For instance, over half the citizens who had the desire to attend a Sakrebulo session, but could not, blame this on a lack of information about the session's location and date.

**5. Self-Governance Bodies Neither Facilitate, Nor Obstruct Civil Participation.** Self-governance bodies virtually do not create hurdles for civil participation in their activities. However, they do not facilitate civil participation either. Self-governance body representatives blame the non-applicability of civil participation mechanisms in practice on the population's passiveness. However, appealing only to the population, passiveness would not be appropriate. Self-governance bodies themselves are inactive as they do not practically apply civil participation mechanisms (Sakrebulo open-door session, Sakrebulo field session, public Sakrebulo discussions targeting a specific issue). The level of their proactive communication with the population is low as well. Approximately 64 percent of the Tbilisi population said the Sakrebulo and City Hall do not organize meetings with the population. 15.8 percent of the regional population noted that Gamgeoba representatives do not meet with the population, while 50.9 percent said Sakrebulo members never hold meetings with the population. Only 46.5 percent of the regional population said their trustee meets with the population over various periods. Only 38 percent said a trustee inquired about their problems upon his own initiative. 32.1 percent said a trustee prioritizes their needs.

**6. Some Existing Civil Participation Mechanisms Are Rarely Applied in Practice.** As the study revealed, some civil participation mechanisms in self-governance body activities are applied in practice and the population is active to an extent. In the first instance, this applies to Sakrebulo session attendance, initiating special Sakrebulo sessions and submitting proposals and comments about the self-governance body draft budget. Nevertheless, it is worth mentioning that these mechanisms are applied at an extremely low level of intensiveness. For instance, 5.1 percent of the regional and 2.2 percent of the Tbilisi population confirm their practice of attending Sakrebulo sessions. 4.3 percent of the regional population has submitted proposals and comments on the budget (no such practice was revealed in Tbilisi). 2.7 percent have been involved in initiating a special Sakrebulo session.<sup>5</sup> It should also be noted that the existing mechanisms are often not applied under forms and procedures that could lead to legal consequences. For example, only 10.1 percent of citizens who have submitted proposals on the draft budget did so in writing (and only in several regions), while 81.2 percent did this verbally. It is important that self-governance bodies apply mechanisms such as engaging the population in working groups set up with Sakrebulo commissions. Most self-governance representatives said public representatives are invited to interim working groups created at the commissions. However, civil society representatives rarely confirm this statement. Apart from professional principles, the criteria by which the population is invited to working groups are not clearly defined.

**7. A Significant Portion of the Existing Mechanisms of Civil Participation are Almost Inapplicable in Practice.** Although the majority of self-governance body regulations

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<sup>4</sup> However, according to the information received from the focus groups, meetings with the self-governance servants in the regions are set up more often through direct contacts with them.

<sup>5</sup> Focus groups have not confirmed information regarding the initiation.

foresee civil participation mechanisms, a significant portion are not applied in practice. Mechanisms such as a petition, open-door Sakrebulo sessions, Sakrebulo field sessions, and public Sakrebulo discussions targeting a specific issue are virtually not functioning except in rare cases. Or, under a better scenario, they are not applied pursuant to the form and procedure established by legislative acts. The major reasons should be identified as the population's insufficient awareness and the low activity rate of self-governance bodies and the population in this respect. As the study showed, the population more or less receives information about self-governance body activities in various forms. However, the level of their awareness of concrete civil participation mechanisms and procedures in the practice of self-governance is low.

**8. In Cases of Respective Will, Central and Local Authorities Can Increase the Degree of Civil Participation in Local Self-Governance.** The so-called Rural Assistance Program served as the basis for this conclusion. The study proved that despite separate flaws, the program ensured civil participation in the process of identifying and prioritizing local problems.

**9. The Population is More or Less Aware of Self-Governance Body Activities and Their Own Rights. However, the Level is Insufficient to Form and Develop a Co-Participative Democracy.** In terms of awareness, the situation is better in the country compared to other issues. Both population interviews and focus groups results verify this conclusion. Nevertheless, it is worth noting that the population is mostly informed about general matters, while the level of their awareness on more specific issues declines sharply. For instance, 42 percent of the regional and 25.6 percent of the Tbilisi population are aware of the openness of Sakrebulo sessions, but approximately eight percent hardly know the specific time of these sessions. Half the country's population receive information about self-governance body draft budgets, but only slightly over one-third in the regions have ever heard about the right to submit proposals and comments on draft budgets. This indicator is even lower in Tbilisi – 15.8 percent. Thus, the level of awareness requires significant changes. This is confirmed by the fact that 77.1 percent of the regional and 33.9 percent of the Tbilisi population do not have information about self-governance body activities. One-third of the regional population does not know where to attain information about municipality activities.

**10. Television is Most Effective Source of Information.** General information is received about self-governance body activities through television (61.3 percent), Sakrebulo sessions (40.7 percent) and draft budgets (33.8 percent). Further, social relations are a significant source of information in the regions. Acquaintances and friends provide information on the self-governance body activities (30.7 percent), draft budgets (15.9 percent), and Sakrebulo sessions (32.7 percent). Television dominates mainly in Tbilisi, and provides information about City Hall/Sakrebulo activities in general (97.5 percent) and draft budgets (58 percent). In terms of information, print media holds third place in the regions and second place in Tbilisi.

**11. At This Stage, the Internet is the Least Effective Source of Information.** Self-governance bodies Web pages represent the least useful source of information for the population. Although most self-governance bodies operate a Web page and periodically post information about their activities, a very small portion of the population receives information from this source. It could be said that the population in the regions almost does not use these Web pages. The situation is better in the capital, which is easily explainable when comparing accessibility to the Internet in Tbilisi and the regions.

**12. The Volume of Donor and NGO Intervention in the Field is Quite High.** More than 100 projects have been implemented in the past two years concerning self-governance issues. The promotion of civil participation in the decision and enforcement process has been a component of almost all the projects. Projects in this field are funded by more than 30 donors and implemented by up to 100 local and international organizations.

**13. The Geography of Implemented Projects by Regions is Unequal.** The level of NGO activities varies by region. It is highest in Samtskhe-Javakheti, Guria, Imereti, Kakheti, and Kvemo Kartli (more than 20 projects are implemented in each region) and lowest in Samegrelo-Zemo Svaneti and Mtskheta-Mtianeti (3-4 projects).

**14. Donors and NGO Intervention Impacts the Existing Situation.** Notably, it is rather difficult to assess the overall effectiveness of implemented projects. It is even more difficult to establish their overall impact on the existing situation. The culture of assessing project results is quite low in Georgia. Such assessments are either not carried out at all or have a formal character. Hence, the conclusion is general and based on empirical observations and information obtained through our study. Based on the study materials, in a number of regions, a correlation was found between the activities of a third sector and the existing general results. For instance, compared to other regions, the overall situation in Guria is better. The correlation of these results with sector activities and implemented projects (23) is obvious. Yet, we saw the opposite results in Kvemo Kartli and Samtskhe-Javakheti, where donors are active, but the overall results are low. Whereas in Racha-Lechkhumi and Mtskheta-Mtianeti, where sector activities are clearly low, overall results are much higher compared to other regions. More often separate parameters are linked to specific activities. For example, the level of the population's awareness about budgetary issues was one of the highest in the country in Samegrelo, where the quarterly bulletin "Society and Budget" has been published since 2004, as well as the newspaper *Society and Budget*, and a series of the paper's programs were broadcast on Atinati radio.

**15. The Outcomes of Donor and NGO Intervention are Insufficient.** The overall state of participative democracy in the country allows us to conclude that activities implemented in the field by the authorities, donor, and NGOs are insufficient. Yet, it has to be taken into account that it is extremely difficult and sometimes virtually impossible for NGOs to have a degree of impact on the situation. It is impossible to identify the direct and indirect impact of implemented activities on pending processes without expensive and in-depth assessment studies. Nevertheless, all the study's components demonstrated that problems in terms of civil participation in self-governance body activities are quite serious, and demand much further work.

**16. Low Level of Coordination and Partnership between Donors and NGOs.** An analysis of the implemented projects and empirical observations allow us to conclude that there is an overlap in the intervention process. Additionally, the degree of experience sharing is low, which leads to an ineffective utilization of resources.

## Recommendations

- 1. Promoting Political Activation of Civil Participation in Self-Governance.** Promoting the political activation of the issue is crucial for raising the level of civil participation in the local decision-making process. It is necessary for the issue to return to the government's political agenda. This requires an active partnership with the legislative and executive branches, political parties and international organizations working on self-government issues.
- 2. Improving Legislative Environment in the Field of Civil Participation.** Effective legislation needs improvement to ensure civil participation. It is important to form a legislative base, which, on the one hand, will identify various forms and procedures of civil participation in local self-governance body activities, and, on the other hand, will ensure the principle of alternative forms of participation. Forms and procedures of civil participation may be written in a coherent systematized law (this condition is foreseen under the transitional provisions of the Organic Law on Local Self-Governance), or they may be incorporated into the Organic Law on Local Self-Governance and other legislative acts. However, the adoption of a coherent systematized law will provide greater room for writing in detail both normative and procedural regulations, which must be more effective.
- 3. Improving Recommended Regulations Developed by Parliament.** As previous practices demonstrated, some of the recommendations concerning self-governance body publicity and accountability and civil participation in their activities must be improved. In light of the practice of self-governance bodies applying the recommendations developed by parliament (quite a significant number of self-governance bodies applied the recommended regulations), it is important to continue working on their further improvement. If a new legislative base on civil participation is formed, the regulations should comply with the recommendations and major principles of civil participation.
- 4. Raising Qualification of Self-Governance Servants; Uniform State Policy in Training and Retraining Civil Servants.** It is central to develop a uniform state policy in the field of training and retraining self-governance civil servants and to identify the role of state and local self-governance bodies, as well as non-state institutions in training and retraining civil servants. It is important to view the policy of training and retraining self-governance civil servants in light of the system of higher education, to determine the role of higher educational institutions in this respect, elaborate long-term plans of training and retraining self-governance civil servants and short-term pilot programs, and ensure and initiate the preparation, publication and dissemination of relevant topic-related publications and literature.
- 5. Raising Awareness of Youth Population on Local Self-Governance.** It is clear that enhancing the participation of the youth population in local self-governance activities requires them having the respective information, skills and knowledge. This will boost their civil activities in the future, which will surely turn into a major precondition for democratic development and establishing self-governance institutes on the ground. Thus, it is essential to provide youth with civil education on the ideas and functions of local self-governance bodies and the rights and role of the population in their activities. Activating schools is essential. Hence, the issue

should be attended to by the Ministry of Education and Science, as well as NGOs and donors interested in the field.

6. **Setting Up Civil Councils at Various Levels.** It is important to establish a practice of setting up consulting civil councils within local self-governance bodies (Sakrebulo, Gamgeoba/City Hall) – thematic, i.e. specialized councils may be set up that will exercise the functions and rights of developing recommendations and carrying out civil monitoring. We believe setting up such civil councils will enable public representatives to actively participate in self-governance processes (local decision-making process). Apart from this, it is central to ensure the presence of an integrated group of individuals responsible for civil participation (similar to a person responsible for issuing public information) in municipality administrations (with the Sakrebulo or Gamgeoba). Their functions will be to coordinate civil participation in the self-governance body activities.
7. **Promoting Development of Successful Examples via On-The-Ground Partnership between NGOs, Donors, and Authorities.** The creation of successful precedents for resolving local problems through civil participation in the decision-making process is the most effective means of raising citizen engagement in a specific environment. This will be a significant stimulating factor for others, fostering the implementation of their activities. NGOs and donors should play a leading role in resolving this issue. It is also vital for central and local authorities to show political will and a position of partnership in these processes.
8. **Coordinating the Activities of Donors and NGOs in the Field.** The coordination of donors and NGOs will foster the effective and efficient utilization of existing limited resources. In particular, it will ensure equal geographic coverage, share resources and experience, and avoid the overlapping of activities, which in turn will make the intervention of donors and NGOs in this field more effective.
9. **Boosting the Informational Campaign and Applying Modern Technologies via the Campaign.** To increase the population's awareness of civil participation mechanisms in self-governance bodies and their activities, it is essential to conduct a purposeful informational campaign at national level, as well as at regional and municipality levels. Applying innovative approaches and modern information technologies, including the Internet, in similar campaigns is extremely important to overcome the population's lack of awareness. Although in today's circumstances the Web is the least used source of information, it is essential to continue working in this direction, as this source of information is accessible to the very active segment of civil society via which this information reaches the population.
10. **Popularizing Self-Governance in General and Civil Participation in Self-Governance Particularly via Public Television and Radio.** Undoubtedly, the degree of the media's involvement in the informational campaign should be increased. Public television and radio are a considerable resource in this respect. One of their most significant functions is to provide civil education to society. It is extremely important for NGOs and the media to cooperate in developing a coherent policy to raise citizen awareness on self-government issues.
11. **Raising the Level of Journalistic Education in the Field of Self-Governance.** Attention should be paid to raising journalists' qualification in the field of self-

governance, so that society receives high quality information. In this regard, it is essential to raise the qualifications of practicing journalists and conduct such work with media schools.

12. **Enhancing Activities in the Framework of the European Week of Self-Governance.** To popularize self-governance issues, it is reasonable to increase the scale of various popular events in the framework of the European Week of Self-Governance and establish this as a tradition.