

# **THE NEED FOR AFFIRMATION OF THE MECHANISMS FOR ACTIVE PARTICIPATION OF CITIZENS IN THE CREATION AND IMPLEMENTATION OF LOCAL POLICIES**

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## **Abstract**

The right to express an opinion and the right of the citizens to participate in the decision-making on issues of public interest is a right that is directly recognized by the Constitution, as the highest legal act, as well as by the Law on Local Self-Government, which defines it as an individual or collective involvement of the residents of the municipality in decisions regarding affairs of local importance at different levels of decision-making, while, on the other hand, the procedure for the realization of the forms of direct expression, at both state and local level, is determined by the Law on Referendum and other forms of direct expression. The significance of this issue is also indicated in the international acts and documents, among which we highlight the European Charter for Local Self-Government and Recommendation 19 of 2001. Consequently, one of the main goals of this research is to carry out the analysis of the legal framework that regulates this issue from a theoretical, legal and comparative aspect.

In the paper, special emphasis will be put on answering the questions that are related to: determining the reasons that influence the reduction of the intensity of the citizen participation in the political process, whether there is a need to add elements of participative democracy to the model of representative democracy, as well as whether the institutions take sufficient measures that are adequate for affirmation of citizen participation in the decision-making at the local level?

Namely, the direct participation of citizens in the realization of the political process is an expression of the participatory democracy. The direct participation of citizens in the governance process is regarded as a fundamental right in a democratic society, an opportunity for the citizens to contribute in achieving a better life and overall progress. Therefore, citizens should be informed, adequately and timely consulted and complementary participation of the citizens with their representatives should be provided. As a special recommendation, we would like to

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emphasize the need for affirmation not only of the use of the forms of direct expression such as the referendum, the gathering of citizens and the civic initiative, but also to promote the role of civic forums, citizen panels, public opinion polls, focus groups, etc. All of these measures would affect the strengthening of democracy, the fulfillment of the principle of accountability and transparency in the work of the institutions, and the improvement of the efficiency and effectiveness of decision-making process.

*Keywords: participative democracy, representative democracy, local self-government, direct citizens' expression, accountability*

## **1. Introduction and methodology**

The subject of the research in this paper is the implementation legal framework and theoretical analysis of the arrangement of mechanisms for achieving participatory democracy at the local level, with a special emphasis on the arrangement in the Republic of North Macedonia. Also, the main goal is to identify the underlying reasons and factors on which the non/application of the mechanisms for direct democracy depends, or what influences the citizens' passivity in their non/ participation in the decision-making process on issues that are in their interest. At the same time, we should point out the alternative mechanisms for active participation of the citizens, as well as the role of the municipality, the citizens and the civil sector in the effective realization of participatory democracy.

The basic hypothesis of the research in this paper is that the insufficient participation of citizens in the creation and implementation of local policies is not due to deficiency of formally legally recognized mechanisms. On the contrary, we consider that *de lege lata* there are several forms of direct expression available to the citizens. The problem arises, in their immediate application, where there is no incitement to their use, lack of interest and lack of information of the citizens and lack of political will and political culture of the authorities themselves to initiate the implementation of a procedure in some of the forms of direct democracy.

The paper provides results from a qualitative in-desk research, of analyzed literature, descriptive statistical data from published reports and other relevant sources. Inferences were drawn from legal analysis, comparison of practices and evaluation of empirical research.

## 2. The notion, role and significance of participatory democracy

In theory and practice, there are two different forms of realization of democracy: indirect and direct democracy. What prevails in the exercise of power is the indirect democracy, where citizens elect their representatives that represent their interests. Citizens exercise this right in the elections, where they use their active voting right. But more recently, it seems that through the representative democracy the needs and will of the citizens do not come to the fore, but the representatives advocate the achievement of the political goals. Hence, the issue of affirmation of the forms of direct democracy, where citizens are given the opportunity and space to decide themselves on issues that directly affect their interests, is becoming more frequent.

Direct participation of citizens in the accomplishment of the political process is an expression of participatory democracy. The direct participation of citizens in the governance process is considered as a fundamental right in a democratic society, an opportunity for the citizens to contribute to the achievement of a better life and general progress. Therefore, citizens should be informed, adequately and timely consulted and complementary participation of citizens with their representatives should be provided.<sup>2</sup>

The direct participation of citizens can be accomplished individually or collectively, which depends on the mechanism they want to use. For example, if a citizen participates in a public debate and gives an appropriate proposal, suggestion, criticism, etc., then the citizen performs individually. On the other hand, if it comes to a gathering of citizens or a referendum where the issue which is being debated is of a wider interest, then the citizens act collectively.

Representatives of direct democracy emphasize the advantages offered by the direct participation of the citizens, that is, even from the time of Aristotle, and Rousseau and Mill, there is a belief that the Citizens' Participation develops the human capabilities, responsibilities and the idea of unity, and there arises the opportunity for developing the potentials among the citizens.<sup>3</sup>

The main goals of civil activation are: "informing and educating citizens about important political issues, improving the process of making political decisions, creating an opportunity for

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<sup>2</sup> Neposredno učešće građana u javnom životu na lokalnom nivou, Beograd, 2006, p.1., Publisher: Misija OEBS u Srbiji [www.osce.org](http://www.osce.org) Authors: Miloš Mojsilović, Centar za slobodne izbore i demokratiju (CeSID) Bojan Klačar, Centar za slobodne izbore i demokratiju (CeSID) Violeta Sretenović, Centar za slobodne izbore i demokratiju (CeSID) Jelena Žegarac, Centar za slobodne izbore i demokratiju (CeSID) Nada Radović. Centar za slobodne izbore i demokratiju (CeSID) (Direct participation of citizens in public life at the local level, Belgrade, 2006, p.1.)

<sup>3</sup> Jelisaveta Vukelić, Institut za sociološka istraživanja, Filozofski fakultet, Univerzitet u Beogradu, 2009, Neposredno učešće građana u donošenju odluka na lokalnom nivou vlasti u Srbiji, <http://www.doiserbia.nb.rs/img/doi/0038-0318/2009/0038-03180903291V.pdf>, p. 293

citizens to ask and decide on political issues themselves, legitimizing politics in a way that every citizen will have his voice recognized in the public, involvement of the citizen in the monitoring of the political process and improving the quality of public life through greater citizen involvement in the public life. Active citizen involvement should include: communication (talking, giving information, etc.), consulting, active involvement and cooperation. "<sup>4</sup>

This way, the principles of good governance that influence the provision of democracy, such as: openness and communication with the public and transparency, intensive involvement of citizens in the conduct of politics, increasing the responsibility of policy-makers, effectiveness in execution the policy and compliance of all measures at all levels of government in order to achieve consistency, will be realized. "<sup>5</sup>

However, this is not a direct democracy in which citizens are directly responsible for making policy decisions. In a participatory democracy, citizens can influence policy decisions, but do not make them. Politicians are still responsible for implementing those policy decisions.<sup>6</sup> In other words, "public participation implies existence of an opportunity for all stakeholders to represent their interests in the process of drafting plans, programs, public policies and legal solutions."<sup>7</sup>

Undoubtedly, the goal of the affirmation of participatory democracy is to raise awareness of the citizens about their role in the local community, that they also have the right to participate in the creation of the local politics, primarily for issues that directly affect their interests. for example, they deal with urbanism, culture, education, health, utilities and etc.

### **3. Mechanisms for direct participation of citizens at the local level**

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<sup>4</sup> Public deliberation: A manager's Guide to citizen engagement, Carolyn J. Lukensmeyer and Lars Hasselblad Torres, IBM Centar for the Business of Government, 2006, [http://www.whitehouse.gov/files/documents/ostp/opengov\\_inbox/ibmpubdelib.pdf](http://www.whitehouse.gov/files/documents/ostp/opengov_inbox/ibmpubdelib.pdf)

<sup>5</sup> Marijana Bađun, Governance i javna uprava u kontekstu pridruživanja Hrvatske Evropskoj uniji, (Ekonomski fakultet, Zagreb), p.129

<sup>6</sup> <https://www.khanacademy.org/humanities/ap-us-government-and-politics/foundations-of-american-democracy/types-of-democracy/a/types-of-democracy>

<sup>7</sup> Standards of Public Participation – Recommendations for Good Practise, Austrian Federal Chancellery, 2008 ([www.partizipation.st/standards\\_pp.html](http://www.partizipation.st/standards_pp.html)), Promocija dobrih praksi učešća građana u lokalnom budžetiranju u gradovima i opštinama u Srbiji, Publisher: Misija OEBS u Srbiji [www.osce.org/serbia](http://www.osce.org/serbia) Authors of the Research: Prof. Dr Zvonko Brnjas Milica Radovanović Dumonjić, Beogradu, may 2013, <http://arhiva.emins.org/uploads/useruploads/knjige/Promocija-dobrih-praksi-Ucesce-gradjana-u-lokalnom-budzetiranju-WEB.pdf>

In line with Abraham Lincoln's idea of "government for the people, of the people and by the people", the Municipality, as the government level closest to the citizens is first of all, the cradle of representative democracy (local politics for citizens). Secondly, it is a school of participation (local politics of/with citizens), and thirdly, it is a laboratory for innovative, deliberative models of participation models (local politics by citizens). The Municipality is considered to be the oldest form of governmental subdivision and represents the basic form of human socio-political cooperation. As a customer-oriented service facility, it is the most immediate area for citizens to identify with.<sup>8</sup>

From a political science perspective, municipal players can either act as door openers - and thus supporters of innovative citizen participation - or as barriers for process and dialogue-oriented decision-making models. Municipalities are both the recipients and carriers of processes of change.<sup>9</sup>

Participatory mechanisms were thus initially conceived and designed as a way for citizens' views and input to have some influence on otherwise political and bureaucratic decision-making processes. It was also imagined that they would become tools for making elected leaders accountable for their decisions, and for citizens to become empowered through the participatory process. The idea of participation has also attracted considerable attention in the 'good governance' literature, where it is rather understood as a way to make governments (especially local ones) more transparent, responsive, and in turn more efficient with regard to public spending, as well as to make public (and sometimes contested) decisions socially and politically acceptable.<sup>10</sup>

### **3.1. Legal arrangement of the mechanisms for achieving participatory democracy**

In the Republic of North Macedonia, the right to express an opinion is regulated by the Constitution, the Law on Local Self-Government, the Law on Referendum and other forms of direct expression of the citizens and by the Statutes of the local self-government units as a by-

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<sup>8</sup> Democratic Innovation and Participatory Democracy in the Alpine Area, <https://www.alpine-space.eu/projects/gaya/results/comparative-report-english>

<sup>9</sup> Democratic Innovation and Participatory Democracy in the Alpine Area, <https://www.alpine-space.eu/projects/gaya/results/comparative-report-english>

<sup>10</sup> (Fung & Wright, 2003) and (Tendler, 1998) see in Laurence Bherer, Pascale Dufour & Françoise Montambeault (2016) The participatory democracy turn: an introduction, *Journal of Civil Society*, 12:3, 225-230, DOI: 10.1080/17448689.2016.1216383, <https://www.tandfonline.com/doi/pdf/10.1080/17448689.2016.1216383?needAccess=true>, last accessed: 5.04.2019

law. However, the right to local self-government and the direct participation of citizens is regulated by international acts and documents, among which we underline the UN Universal Declaration of Human Rights<sup>11</sup>, European Charter on Local Self-Government<sup>12</sup>, European Charter on Active Citizenship<sup>13</sup>, International Pact on Civil and Political Rights<sup>14</sup>, European Charter on the Participation of Young People in Public Life at Local and Regional Level<sup>15</sup>, Recommendations of the Committee of Ministers of the Council of Europe, Recommendation No. 19 of 2001, Recommendation No. 1704 of 2005.<sup>16</sup>

According to the Article 2 of the Constitution, " in the Republic of North Macedonia sovereignty arises from the citizens and belongs to the citizens. Citizens exercise their power through democratically elected representatives, through a referendum and other forms of direct expression." According to Article 11, in the units of local self-government, the citizens directly and through representatives participate in the decision-making on issues of local significance, especially in the areas of urbanism, communal activities, culture, sports, social and child protection, pre-school education, elementary education, basic health care and in other areas determined by law.<sup>17</sup>

In this section it is important to cite the European Charter of Local Self-Government, adopted by the Council of Europe in 1985. The Charter refers to the right of the citizens to participate in public issues and emphasizes that citizen participation can be directly achieved at the local level. The Recommendation 19 (2001) of the Committee of Ministers of the Council of Europe also recommends that member states should form political guidelines for fostering citizens' participation in public life. This recommendation invites all the state-members of the Council of Europe to actively participate in promoting the principles and in implementing the practice of direct citizen participation and also in providing concrete recommendations and examples of how this can be accomplished. Its importance also derives from the fact that it is not

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<sup>11</sup> <https://www.un.org/en/universal-declaration-human-rights/>

<sup>12</sup> European Charter of Local Self-Government Strasbourg, 15.X.1985, <https://rm.coe.int/168007a088>

<sup>13</sup> European Charter Of Active Citizenship\* July 2006, [http://www.activecitizenship.net/files/civic-activism/carta\\_europea\\_ca\\_eng.pdf](http://www.activecitizenship.net/files/civic-activism/carta_europea_ca_eng.pdf)

<sup>14</sup> Međunarodni pakt o građanskim i političkim pravima, available at: <https://pravosudje.gov.hr/UserDocsImages/dokument>

<sup>15</sup> Revised European Charter on the Participation of Young People in Local and Regional Life, <https://rm.coe.int/168071b4d6>

<sup>16</sup> Recommendation 1704 (2005), Referendums: towards good practices in Europe, <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=17329>

<sup>17</sup> Устав на РМ, Сл.Весник на Р.М. бр.52 од 22.11.1991 година,. 1/92, 31/98, 91/2001, 84/2003, 107/2005, 3/2009.

limited to describing specific mechanisms for implementing direct participation, but this principle is a part of a wider social and political context that emphasizes the need for greater awareness of citizens, and then greater transparency in the work of the authorities. We would also include the Universal Declaration of Human Rights, adopted by the UN in 1948, and the International Covenant on Civil and Political Rights of 1966, which all recognize everyone's right to participate in public affairs in their own country, directly or through freely chosen representatives.

According to the Law on Local Self-Government, citizens realize their right to local self-government directly and through representatives in the municipal bodies.<sup>18</sup> "Direct participation of the citizens", according to the law, is defined as individual or collective involvement of the residents of the municipality in decisions on matters of local importance at different levels of decision-making. Pursuant to Article 2, line 1, item 5 of the Law on Local Self-Government, "Direct participation of citizens" is individual or collective involvement of the residents of the municipality in decisions on matters of local importance at different levels of decision-making. Article 5 stipulates that citizens exercise the right to local self-government directly and through representatives in the bodies of the municipality.<sup>19</sup> According to Article 25, forms of citizen participation are civil initiative, citizen assemblies and a referendum, in a manner and procedure determined by law.<sup>20</sup>

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<sup>18</sup> Член 5 од Законот за локална самоуправа, Сл.весник на Република Македонија, 5/2002.

<sup>19</sup> Закон за локалната самоуправа, "Сл. весник на Р Македонија" бр.5 од 29.01.2002 год (Law on Local Self-Government, Official Gazette of the Republic of Macedonia, 5/2002).

<sup>20</sup> Член 25 од Законот за локална самоуправа, Сл.весник на Република Македонија, 5/2002. (Article 25 of the Law on Local Self-Government, Official Gazette of the Republic of Macedonia, 5/2002).

The citizens' initiative is expressed through the right of the citizens to propose to the council to pass a certain act or to solve a certain issue within its competence. The exception to setting up a civil initiative exists for staffing and financial issues. The gathering of citizens can be convened for the territory of the whole municipality or for the territory of the local self-government. The meeting of citizens is convened by the mayor of the municipality on his own initiative, at the request of the council or at the request of at least 10% of the voters of the municipality. If the assembly is held, the bodies of the municipality are obliged within 90 days to review the conclusions that were adopted at the gathering of the citizens and to take them into consideration when deciding and adopting measures on the issues that they refer to, as well as informing the citizens about their decisions. The referendum as a form of direct citizen participation is used for deciding on issues of competence of the municipality, as well as for other issues of local importance. The council is obliged to announce a referendum on the request of at least 20% of the voters of the municipality, and may also on its own initiative. The decision taken at the referendum is binding on the council.

The Law on Referendum and other forms of direct expression of the citizens<sup>21</sup> directly regulates the manner and procedure for announcing and conducting a referendum, initiating a civil initiative, convening and holding a gathering of citizens, as well as other issues of relevance for direct expression of the citizens.

An obligation for the municipality bodies, the council commissions and the public services is that they should inform, without compensation, the citizens for their work, as well as for the plans and programs that are of importance for the development of the municipality, all in a manner determined by the statute. The municipality is also obliged to provide the citizens with access to basic information about the services provided to them, in a manner and under conditions regulated by the statute.<sup>22</sup>

### **3.2. Empirical data on the realization of mechanisms for direct participation in the practice in the Republic of North Macedonia**

The significance of this issue is also reflected in the data obtained from several researches carried out by non-governmental organizations, which relate to this topic. The purpose of the researches is to obtain information on how much the citizens are familiarized with the possibility of using the forms of direct expression, the procedure for their use, and the effects of their use. Thus, according to the research conducted by ISIE, regarding the realization of referendums at the local level in the Republic of Macedonia, from the obtained data it is concluded that only 38% of the respondents are familiar with the possibilities for organizing a referendum, while 46% are partially acquainted and 16% do not have any knowledge of the legal matter for organizing a referendum. This data points to the insufficient information of the citizens about the possibility of using the referendum. However, on the other hand, almost 80% of the respondents said that citizens should more often have the opportunity to make a statement on a referendum and at the same time, about the issue concerning the turnout of the citizens if a decision was made to conduct a referendum, 65% stated that they would respond and that it is an obligation of every citizen. This data expresses the will of the citizens to take an active part in the creation of local policies when deciding on important local issues that concern their interests. At the same

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<sup>21</sup> Закон за референдум и други облици на непосредно изјаснување на граѓаните Сл.Весник на Р.М. бр.81 од 27.09.2005 година, Одлука на Уставен суд У.бр.195/2005 (Law on Referendum and Other Forms of Direct Expression of Citizens, Official Gazette RM No.81 dated 27.09.2005)

<sup>22</sup> Член 8 од Законот за локална самоуправа, Сл.весник на Република Македонија, 5/2002. (Article 8 of the Law on Local Self-Government, Official Gazette of the Republic of Macedonia, 5/2002).



time, 58% of the respondents believe that the more frequent use of the referendum affects the increase of the responsibility of the local authorities. The fact that 40% of the respondents think that citizens and civic organizations have the capacity for a successful initiative for a referendum and without the support of a particular political party is also interesting. But what directly affects the strengthening of civil activism is the information obtained on the basis of the question regarding the respect of the decision taken. Namely, 46% of the respondents state that if a consultative referendum was conducted, politicians would not implement/respect the decision. This can certainly affect the citizens to be disappointed and come up with pessimism that despite the clearly expressed will of the citizens, the politicians are those who have the final word in the decision making, and hence it can influence the indifference of the citizens in the future to initiate a referendum. In this way, the trust of the citizens in the institutions is lost, and the gap between the citizens and the government increases.<sup>23</sup>

According to another survey (research), there are data provided about how many citizens participate in the decision-making process in their municipality and which form of direct participation would most often be used or considered the most suitable for achieving involvement. The obtained answers indicate that 73% of the respondents did not participate in the decision-making process in their municipality. Regarding the type they consider the most suitable, most respondents chose the methods of direct communication. For example, public debates (38%) and civil gatherings (35%), are most often highlighted by respondents as appropriate tools that would motivate them to participate, as well as open days of the mayor (25%), meetings of local or urban communities and forums in the community. Also, respondents often chose the referendum as an appropriate means for their contribution (25%). Regarding the effect of their participation, almost half of the respondents do not see the changes caused by their participation.<sup>24</sup>

As reasons for insufficient direct participation of citizens, we find the following:

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<sup>23</sup> Д. Спасевски, И.Шумановска-Спасовска, К.Шапкова- Коцевска, С. Гичевска-Докмановиќ,Референдум на локално ниво: реалност или фикција? Студија за проценка на состојбата, Скопје, 2019, од проектот спороведен од страна на Институтот за стратешки истражувања и едукација

<sup>24</sup> Анализа на постоечките практики на користење на механизмите за консултација со граѓаните во креирањето на локалните политики и нивната ефикасност [Електронски извор] / [Кристина Хаџи-Василева]. - Штип : Фондација за развој на локалната заедница, 2017. - 1 оптички Издавач: Фондација за развој на локалната заедница Штип, <http://firlz.org.mk/wp-content/uploads/2017/04/analiza.pdf>

- domination of a political culture that does not affirm the civil participation and low level of knowledge and awareness of citizens for their rights and competences at a certain level of authority,
- citizens' lack of interest in public life as a consequence of poor living status, lack of time, information and knowledge,
- undeveloped and inefficient practice of direct participation of citizens,
- the financial capacities of the municipalities.

The main reasons for such inactivity are: "lack of time" and "no one is asking me, no one is asking for anything."<sup>25</sup>

Hence, we can underline the arguments because of which we have a low level of civil activism: the mistrust between the citizens and the institutions (because the citizens believe that if the mechanism used does not have a mandatory application for the local self-government, the decision would not be respected), the lack of information (the citizens are not sufficiently familiar with the legislation regulating this issue), the lack of awareness (because the citizens do not see the effects of their participation), the lack of motivation in the local authorities and in the citizens (because the political culture and civic awareness about the use of these mechanisms are not raised), the financial costs may also have an appropriate impact because they are provided by the municipality.

### **3.3. Other forms of direct participation of citizens**

In addition to the already mentioned mechanisms, the public administration bodies can organize public debates, conduct surveys, or ask for proposals from citizens when drafting regulations.

The role of the citizens in the formulation of public policy against the OECD methodology is realized in three levels: through informing the citizens, through communication with the citizens and ultimately through the direct participation of the citizens. When informing, the information goes one-way - from the institutions to the citizens. For example, the access to public acts, official newspapers or websites of legislative and executive authorities. On the contrary, consulting means that authorities seek and receive feedback from citizens in the process

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<sup>25</sup> Референдум на локално ниво: реалност или фикција? Студија за проценка на состојбата Скопје, 2019 година, Институтот за стратешки истражувања и едукација – ИСИЕ, <http://www.referendum.mk/wp-content/uploads/2019/02/Referendum-studija-MK.pdf>

of formulating public policy. At this stage, the most important issue is to determine the participants in the process. An example is to advise on a draft law. Direct or active participation of citizens implies that they are directly involved in the formation of public policy. For example, membership in a working group for drafting laws.<sup>26</sup>

Some of the options to actively inform the citizens are: publishing the official documents as an official newspaper or messenger of the municipality, publishing special editions that outline general or specific plans for creating a policy, publishing drafts of some acts in order to see public opinion, publication of various manuals, brochures flyers, posters, attendance of parliamentary sessions, municipal council sessions, communication via television, radio, newspapers and the internet, public meetings with citizens, etc.<sup>27</sup>

In terms of informing citizens, the development of technology and means of communication plays a major role. This refers primarily to the media, the publication of brochures, the update of the websites of the institutions, the publication of newspapers, and so on. Consultation with citizens is also provided through objections, complaints, public hearings, debates, public sessions, etc.

According to the Statute of the Municipality of Centar, the bodies of the municipality, as well as bodies of the Council and the public services are obliged to inform the citizens about their work and development of plans as well as to provide them with access to information in a manner regulated by this statute.<sup>28</sup> The Statute also envisages that the bodies of the Municipality, in order to determine a policy in a certain area, undertake measures for resolving issues and problems of importance for the citizens in the area of the Municipality, as well as propose certain acts within their competence, can organize a public tribune, can conduct a survey or collect proposals from citizens.

In accordance with the Recommendation 19 of 2001 to the Ministers of the Council of Europe<sup>29</sup>, in order to ensure greater participation of citizens in public life, the following measures should be taken:

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<sup>26</sup> Neposredno učešće građana u javnom životu na lokalnom nivou, Beograd, 2006, str.3.

<sup>27</sup> Neposredno učešće građana u javnom životu na lokalnom nivou, Beograd, 2006, str.3.

<sup>28</sup> Член 13 од Статутот на Општина Центар донесен од страна на Советот на општината Центар - Скопје на 18-та седницата одржана на ден 24.02.2006.

<sup>29</sup> Prevod na Stalna konferencija gradova i opština, 2002 preuzeto od Neposredno učešće građana u javnom životu na lokalnom nivou, Beograd, 2006, str. 18

- in the Statute of the municipality and the Rules of Procedure of the Municipality, there should be detailed regulation of the forms of exercising the rule of publicity in the work and the manner of informing the work of the bodies,
- all regulations must be published before their entry into force,
- the agenda and the minutes from the sessions of the Municipal Council should be published and
- publishing of drafts of certain acts, plans and programs.<sup>30</sup>

At the same time, local authorities, in addition to providing adequate conditions for the fulfillment of legally defined forms of direct expression of citizens, should emphasize the innovative mechanisms for consulting citizens such as the formation of civil forums, civil panels, focus groups etc. Special accent, nowadays, when we have a high level of technology development, should also be dedicated to the realization of more sophisticated approaches for participation, whereby citizens can directly participate through electronic communication. These "new" or constantly evolving media technologies can be considered as very potent auxiliaries of participatory practices, since enhancing efficiency (reduction of participatory costs) and effectiveness.<sup>31</sup> We can denote this approach as providing forms of e-participation of citizens, such as e-panels, e-applications, e-petitions, etc.

The technologies used in e-democracy projects, also called technology of participation, can be divided into three categories: information technology, top-down and bottom-up (theme newsletter), dialogue technologies (mailbox, mailing lists, forums, weblogs, theme chat) and consultation technologies (online and electronic voting, public opinion polls). For an e-democracy project to be really effective, you need to consider ICT as a transversal and instrumental resource for the entire activity of public administration and not just for a single branch. In carrying out an e-democracy project it is essential to identify the fields on which to establish a comparison between authorities and citizens, as well as to define the political arena of actors involved.<sup>32</sup> The Internet is by definition a fast, flexible tool, which allows cooperation at distance, has generally low costs, allows the creation of large archives, including documentation, in small space; provided that it is used in proper way and not by itself, the network can be one of

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<sup>30</sup> Neposredno učešće građana u javnom životu na lokalnom nivou, Beograd, 2006, str.19.

<sup>31</sup> N.Kroes. The Critical Role of Cities in Making the Digital Agenda a Reality. *Closing Speech to Global Cities Dialoge Spring Summit of Mayors*. (European Commission – SPEECH/10/272, 2010 Brussels), p.28 in: M. Pedro, R. Bolivar (eds.) *Smart Technologies for Smart Government, Transparency, Efficiency and Organizational Issues*, Springer International Publishing AG 2018, p.3

<sup>32</sup> Neliana RODEAN, Participatory Democracy: Mechanism of Better Regulation in Europe, *Acta Universitatis Danubius. Juridica*, Vol 7, No 2 (2011)

the means responding to the "culture of secrecy, the unwillingness of officials, poor communication within the administration". Therefore, the type of support that the law should focus on mainly concerns the "information and communication" tools. New ties that facilitate relationships by means of involvement, consultation, coordination and that stimulate a new political leadership based on creativity, change and direct confrontation with citizens.<sup>33</sup>

A relatively new mechanism is also a "world cafe" - a creative process for facilitating collaborative dialogue and sharing knowledge and ideas to create a network of conversations and actions. This process creates a coffee shop ambience where participants discuss a question or topic in small groups, sitting on the coffee tables. They would also indicate the method of planning cells that covers approximately 25 randomly selected individuals who work as public consultants for a limited period of time (e.g. a week) in order to offer solutions to a given planning or policy problem and civil jury which is a means of obtaining input from informed citizens when making political decisions.<sup>34</sup>

The success of this process also depends, of course, on the interaction with the private sector and the civil society, which would raise the partnerships between them, improve the quality of providing services, strengthen social responsibility and ensure intense citizenship in the adoption of decisions.<sup>35</sup> Namely, from the current practice of implementation of mechanisms for direct democracy, it is noted that they are most often initiated by the non-governmental sector.

Also, one of the specific ways of direct involvement of citizens in the functioning of local self-governments in the form of partnership is the activity of non-governmental organizations (NGOs). In this context, NGOs and state institutions achieve close cooperation, whereby NGOs remain independent and have the right to conduct campaigns and act regardless of levels of citizens' participation in decision-making at the local level on a partnership situation. Partnership can include activities such as delegating specific tasks to an NGO, for example providing services, creating participatory forums and establishing bodies that make joint decisions,

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<sup>33</sup> Ibid;

AUDJ, vol. VII, no. 2, pp.31-46, <http://journals.univ-danubius.ro/index.php/juridica/article/view/924> , pristapeno na 5.04.2019

<sup>34</sup> See in: Учество на граѓани во носење на одлуки на локално ниво, Оваа публикација е издадена со поддршка на Мисијата на ОБСЕ во Скопје, <https://www.osce.org/mk/mission-to-skopje/231361?download=true>

<sup>35</sup> Marijana Bađun, Governance I javna uprava u kontekstu pridruživanja Hrvatske Evropskoj uniji, (Ekonomski fakultet, Zagreb), p. 128

including those for allocating resources.<sup>36</sup> This implies that NGOs have the main role in public representation of the critical group's ideas, information and raising awareness of citizens and the formation of new innovative solutions and approaches.<sup>37</sup>

Correspondingly, local and regional authorities should support organized socio-cultural activities led by youth associations and organizations, youth groups and municipal centers which, together with family and school or work, are one of the pillars of social cohesion in the municipality or region; they are an ideal channel for youth participation and implementation of youth policies in the fields of sports, culture, skills and commerce, artistic and other forms of creation and expression, as well as in the field of social action.<sup>38</sup>

## Conclusion

From the analysis conducted, it can be concluded that the direct participation of the citizens in the realization of local policies depends on: the transition period in certain societies, technological development, the level of education of the citizens, the raising of the awareness and the awareness of the citizens, as well as the availability of institutions to citizens.

What was noticed in the research is that, although in most democratic countries a concept of decentralized management is adopted, aimed at achieving local tasks from a government close to the citizens, there is still a certain degree of lack of awareness, incompetence and lack of information for direct inclusion in the process of creating and implementing local policies, and at the same time they are a rarity in the current practice, for example in the Republic of North Macedonia.

All this suggests that in the future, the issue of direct citizens' participation in the local affairs should be actualized, in order to truly conclude that with decentralization, a government

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<sup>36</sup> Promocija dobrih praksi učešća građana u lokalnom budžetiranju u gradovima i opštinama u Srbiji, Izdavač za Srbiju: Misija OEBS u Srbiji [www.osce.org/serbia](http://www.osce.org/serbia) Autori istraživanja: Prof. Dr Zvonko Brnjas Milica Radovanović Dumonjić, Beogradu, maj 2013. Godine, <http://arhiva.emins.org/uploads/useruploads/knjige/Promocija-dobrih-praksi-Ucesce-gradjana-u-lokalnom-budzetiranju-WEB.pdf>

<sup>37</sup> Tanja Azanjac Janjatović, PRIRUČNIK ZA UKLJUČIVANJE GRAĐANA I GRAĐANKI I ORGANIZACIJA CIVILNOG DRUŠTVA U JAVNU POLITIKU Izdavač Beogradski centar za bezbednosnu politiku [www.bezbednost.org](http://www.bezbednost.org), [http://www.bezbednost.org/upload/document/prirucnik\\_ucesce\\_gradjana.pdf](http://www.bezbednost.org/upload/document/prirucnik_ucesce_gradjana.pdf)

<sup>38</sup> Ревидирана Европска Повелба за учеството на младите луѓе во локален и регионален живот Повелба без статус на конвенција Усвоена на Конгресот на Локалните и Регионалните власти на Европа (10-та седница - 21 Мај 2003- додаток на Препорака 128)

close to the citizens and a government that takes care of the needs and quality of the services for their citizens can be achieved. Citizens should have an active role in creating and implementing local policies together with their elected representatives. The benefit of all this would be seen by the local authorities and politicians and citizens, that is, the civil society. Namely, the affirmation of this topic is necessary in order to reduce the apathy about the institutions, i.e. to strengthen the confidence in the government, which will reduce the gap between the officials and the electorate. On the other hand, this would have a positive impact on increasing the legitimacy of local authorities' decisions, on strengthening the transparent and responsible work of the local authorities, on increasing the confidence of citizens in the institutions, the economic, cultural and social development of the local community. We will simply provide more democratic, inclusive and promising societies, in which the government is not afraid to hear the voice of the citizens, but on the contrary it will undertake all the measures to incorporate their opinion and their needs in the creation of local politics.

In order to achieve this, it is necessary to have better cooperation and coordination between all stakeholders in the creation and implementation of local politics (local authorities, parties, civil society organizations and citizens directly). Thereby, the citizens must become responsible for their behavior and to be interested in their rights and obligations on time, as well as the manner of their realization. At the same time, local authorities should develop a strategy for communication with citizens in which they will foresee measures and activities, but also monitor the achieved effects.

In the future, local authorities should actively engage in creating conditions for increased inclusion of the citizens at all stages in the creation of local policies - from informing, through consultation, to immediate clarification. Certainly, because the civil initiative, the gathering of the citizens and the referendum are mechanisms that seize more formalities for their realization, the emphasis should be placed on the application of more contemporary and modern mechanisms such as citizens panels, forums and focus groups. In particular, nowadays, in the digital era, when there is a high level of development of the information society, we should also consider and encourage the application of more modern approaches for citizens participation such as e-petitions, e-panels, e-applications. This implies that local authorities should take measures to strengthen transparency in their work and to inform citizens about all important issues that are decided in their municipality, by organizing public debates and hearings in order to consult

citizens on those issues, and finally to provide an adequate mechanism and approach for citizens to be directly involved in the decision-making process. At the local level, specific educational activities and information campaigns should be implemented, promotional events, seminars and workshops organized, in which citizens will be informed about the issues for which they can be directly involved, as well as the way they can participate. Only in this way, the citizen will not be isolated from making key decisions of local importance, and also, the local authorities will strengthen their credibility.

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