
AICEI PROCEEDINGS

“POSSIBILITIES FOR CITIZEN PARTICIPATION AT LOCAL LEVEL IN THE REPUBLIC OF MACEDONIA”

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Abstract

The creation and implementation of political processes in many countries worldwide is based on parliamentary democracy. Thus many countries have a long tradition of citizen participation in the local self-government and local democracy. Yet, all of them seek for new complementary methods for involving the citizens in the policy-making and conduct, i.e. political processes at local level. The government, whether central or local, has to and should invest time, resources and commitment in the development of pertinent legal, political and institutional frameworks, when developing proper means and assessing its own efforts for including the citizens in the process of policy-making and conduct. Unsuitably designed and applied measures for informing, consulting and active citizen participation might disturb the already incompletely defined and underdeveloped local self-government system, that is relation between local authority and citizen. The local authority could try to inform, consult and involve the citizens in the policy-making process, but also it should not forget the opposite effect provided that the citizens find out that their efforts and endeavors are being ignored, or that they have no influence on the political processes. Considering the bad experience from the application of the Law on Local Self-Government, and particularly concerning citizen participation in the political processes at local level, the following question strikes the right note: Are the existing constitutional and legal guarantees and political culture of our citizens sufficient to strengthen the relation between the citizens and the local authority, and to make their participation and influence in the policy-making processes larger and more active at local level?

Keywords: *local self-government, decentralization, participation, referendum, meeting of citizens, civil initiative, participation*

1. Constitutional and legal framework of the local self-government in the Republic of Macedonia

1. The term local self-government implies local authority which, within the frameworks of the Law, regulates and governs certain issues on the basis of its own responsibility and in the interest of the local community, that is the citizens.

Article 8 paragraph 1, indent 9 of the Constitution of the Republic of Macedonia defines the local self-government as fundamental value of the constitutional order. Chapter V Article 114 of the Constitution guarantees the right of the citizens of the Republic of Macedonia for local self-government. The same Article specifies the local self-government units as municipalities, which may establish forms of community self-government, that the municipalities have been financed by own income, as specified by law, and by state funds and that the local self-government is regulated by special law.

Article 115 of the Constitution of the RM states: "In the local self-government units, the citizens, directly or by representatives, take part in the decision-making on issues of local significance, and particularly in the field of public utilities, urban and rural development planning, environment protection, local economic development, local financing, public works, culture sports, social and children protection, education, health protection and other fields specified by law". Article 116 defines that the territorial division of the state and municipality areas is regulated by law. Article 117 is fully dedicated to the City of Skopje as a special local self-government unit, defined by law.

Article 5 of the amendments to the Law on Local Self-Government¹ dated January 24, 2002, allows the citizens to exercise their right of local self-government immediately and by representative in the municipal bodies. The provisions of Article 25 through 30 of Chapter IV are dedicated to the direct citizen participation in the decision-making in the municipalities, by the means of civil initiative, meeting of citizens and referendum being defined as a form of their participation, in a manner and procedure defined by law. Also, the citizen is entitled, individually or jointly, to submit petitions and suggestions on the work of the municipal bodies and administration. In Article 30 of the Law on Local Self-Government, the legislator also specified that in the preparation of the regulations

¹ The first Law on Local Self-Government was adopted by the Parliament of the Republic of Macedonia on its session held on October 19, 20, 25 and 26, 1995, and published on November 1, 1995 in the "Official Gazette of the Republic of Macedonia" no. 52

concerning the municipality, the council, i.e. the mayor may first organize public forums, conduct surveys or request suggestions from the citizens.

2). The 1999 Constitution of the Republic of Macedonia, as amended in 2001, institutes a traditional democratic local self-government which represents a special management system of the local self-government units - municipalities.

Once the Framework Agreement was signed, the Parliament of the Republic of Macedonia, at its session held on November 16, 2001, adopted the fifteen amendments defined therein². Especially relevant to the local self-government were amendments XVI to Article 114, paragraph 5 and XVII to Article 115 paragraph 1.

Amendment XVI states: "The local self-government shall be regulated by law adopted by a majority of two thirds of votes of the total number of MPs, with majority of votes of the total number of MPs who belong to minority communities in the Republic of Macedonia. The laws on local financing, local elections, municipal boundaries and the City of Skopje shall be adopted by majority votes of the present MPs, who belong to minority communities in the Republic of Macedonia". This amendment made the Law on Local Self-Government a systemic law, requiring majority votes of the total number of MPs who belong to the minority communities in the Republic of Macedonia, in the voting process. Also, the constitution entails that the laws on local financing, territorial division, local elections and the City of Skopje are adopted by simple majority of the present MPs, requiring majority votes of MPs that declared not to belong to the majority communities in the state, in the voting process.

Amendment XVII reads: "In the local self-government units, the citizens, directly or by representatives, take part in the decision-making on issues of local significance, and particularly in the field of public utilities, urban and rural development planning, environment protection, local economic development, local financing, public works, culture sports, social and children protection, education, health protection and other fields specified by law". Unlike the previous constitutional solution of this Article, now, the competencies of the local self-government have increased considerably. It should be highlighted that the same amendment pertains to the City of Skopje.

As specified by the Constitution, the municipality is independent in the performance of its responsibility, whereas the control over the legitimacy of its

² The amendments are being numerated from IV – XVIII, since three amendments concerning the custody restriction and non-allowance of territorial aspirations to neighbouring countries have been already adopted.

operations is exerted by the government³. The government may assign them, by law, to perform certain operations for the local self-government units⁴.

2) Stages of functioning of the local self-government and citizen participation in the Republic of Macedonia

Since the adoption of the Constitution in 1991, there have been several stages of functioning of the local self-government and citizen participation in our country, as follows: 1). A stage covering the period from the adoption of the Constitution in 1991 to the adoption of the Law on Local Self-Government in 1995, 2). A stage after the adoption of the Law on Local Self-Government in 1995 and 3). A stage after the adoption of the Law on Local Self-Government in 2002, more precisely after the adoption of the amendments in 2002 to the 1995 Law on Local Self-Government.

Stage I. In this stage, the local self-government as an institution of the modern Macedonian Constitution, within the period from 1991 to the adoption of the Law on Local Self-Government⁵ operates on the basis of principles of organization of parliamentary governance, with non-sanctioned responsibilities, which depending on the type of municipality, differed in volume and scope. In this period, we could say that the Macedonian local self-government belongs to the group of underdeveloped East European countries, and represents untypical and inconsistent entirety.

The analysis of the overall situation in the local self-government in this period⁶ indicates that the period from the constitution of multiparty local assemblies to the adoption of the Law on Local Self-Government (and commencement of their application), is a period in which the citizens' right of local self-government is mostly exercised within the assemblies, with a little direct citizen participation in the local operations management. In this period, the assemblies showed (in)activity, which

³ Article 115 paragraph 2 of the Constitution of the Republic of Macedonia.

⁴ Article 115 paragraph 3 of the Constitution of the Republic of Macedonia.

⁵ The Law on Local Self-Government was adopted at the session of the Parliament of the Republic of Macedonia held on October 24-26, 1995, and entered into force on the fifteenth day after its publishing in the "Official Gazette of the Republic of Macedonia", on November 15, 1995.

⁶ For more information see the research "Application of the Right of Local Self-Government in the municipalities in the Republic of Macedonia" from January 1, 1993 to September 30, 1995, conducted by Mirjana Slaninka-Dineva, Ph.D. from the Institute for Socio-Political and Legal Researches - Skopje

according to the responsibility corresponds to the already sanctioned original responsibility of the local self-government unit. The forms of direct citizen participation were expressed non-autonomously, mostly by parliamentary decision-making mechanism (such as initiatives and suggestions of the citizens from certain local communities and initiatives for initiating procedures for scheduling referenda, mostly concerning the self-contributions).

Stage II. The Law on Local Self-Government adopted in November 1995 regulates, for the first time after the independence of our country, the following: responsibilities of the local self-government units; citizen participation in the decision-making; organization and operations of the bodies of local self-government units; method of financing the local self-government units; control of the legitimacy of the operations of the local self-government units; local self-government protection; usage of languages and other issues relevant to the local self-government. This law consists of 97 articles, grouped into fifteen chapters.

As specified by this law, the responsibilities of the local self-government units were genuine, which according to the government administration bodies were carried out jointly, as well as responsibilities entrusted by the government administration bodies. The citizens make direct decisions on issues of local relevance through a civil initiative, meetings of citizens and referenda. Generally, we could ascertain that these means were rarely or virtually not used by the citizens in this period.

Stage III. Due to the low, insufficiently and unclearly defined responsibilities in the 1995 Law on Local Self-Government, as well as the financial dependence on the government, most of the existing and newly created municipalities were not in a position to carry out their tasks as expected by the citizens or to represent their interests. The unfavorable situation in the local self-government in this period was a result of the underdeveloped legal solutions that define the local self-government concept concerning its the responsibilities, urban planning and development, finances, as well as the relations in the local self-government.

Aware of these deficiencies, in May 1999, the Government of the Republic of Macedonia adopted a Strategy for Public Administration Reforms that included the Strategy for Local Self-Government System Reforms in the Republic of Macedonia. As a result of these endeavors, and particularly the pressure of the international community,

the signing of the Ohrid Agreement lead to amendments to the Law on Local Self-Government⁷.

The Law adopted in 2002 consists of 105 articles grouped into 15 chapter. According to this law, the municipalities are considered local self-government units enjoying a status of legal entity and the City of Skopje as a special local self-government unit.

Municipality is a local self-government unit, which is a community of individuals inhabiting certain area, as specified by law, which ensures performance of responsibilities conferred by law through its bodies and through the administration and organized public utilities. The list of responsibilities as specified in Article 22 of the Law has been extended both quantitatively and qualitatively, compared to the 1995 Law.

The right of direct citizen participation in the decision-making in the municipalities, as regulated by chapter IV of the amendments of the law, is virtually the same as the respective chapter of the 1995 Law considering the civil initiative, meeting of citizens and referendum⁸. Innovation in this law is the obligation of the mayor to create conditions for submitting petitions and suggestions of the citizens, and the obligation to submit an elaborated reply to the proposer (Article 29), and the possibility conferred to the mayor and the council to organize public forums, to conduct surveys and to request for suggestions from the citizens (Article 30) prior to the preparation of the regulations concerning the municipality. Also Article 8 of the law requires from the municipal bodies, council committees and public utilities established by the municipality to inform the citizens, free of charge, on their operations and on the plans and programs relevant to the municipality development. Also, the municipality is required to provide an access of the citizens to the basic information on the services it provides.

As a possibility for citizen participation in the conduct of political and other local processes, this law allows establishment of a Community Interrelations Committee⁹, which will discuss issues concerning the relations between communities in the municipality and will provide its opinion and suggestions for their overcoming. The

⁷ The amendments to the existing Law on Local Self-Government were adopted at the session of the Parliament of the Republic of Macedonia held on January 24, 2002. The revised text of the law was published in the "Official Gazette of the Republic of Macedonia" no. 5, dated January 29, 2002.

⁸ For more information see the chapter concerning the forms of exercising direct citizen participation in the decision-making of the local self-government.

⁹ Article 55 of the Law on Local Self-Government.

second possibility is the establishment of a Consumer Council¹⁰ responsible for reviewing the issues and determining suggestions referring to the quality of services provided by municipal public utilities.

3). Forms of exercising civil right of local self-government

The citizens play a major role in the exercising of the civil right of local self-government in the local self-government units. They are driving forces of all types of decision-making. Accordingly, the citizens exercise their right of local self-government through two basic forms:

- Indirectly, through representatives in the local self-government bodies and
- Directly¹¹.

3.1). Indirect citizen participation

Indirectly, the citizens participate in the decision-making through the election processes. The elections are an old institution, and in the ideal world, the citizens vote during elections for the purposes of authorizing others to act on their behalf¹². Typical for the indirect method of decision-making is the following: in indirect democracy, the sovereignty is transferable, i.e. through the elections, the sovereignty from the people is transferred to the elected representatives, the elections are general, free, direct and carried out by secret voting, they are the means of recruiting the political elite and are aimed at legitimating the government institutions, the term of office is free and there is organizing by interest¹³.

Four parliamentary elections have been held since 1990 (1990, 1994, 1998 and 2002), four local elections (1990, 1996, 2000 and 2004) and three elections for President of the State (1994 and 1999 and 2004). The citizen participation in the elections is

¹⁰ Article 56 of the Law on Local Self-Government.

¹¹ Article 5 of the Law on Local Self-Government.

¹² According to Hanna Pitkin "The concept of representation". Berkely: University of California Press. 1967, this authorization is known as formal representation. She distinguishes four types of representation: formal, descriptive, symbolic and essential.

¹³ Aneta Jovevska, MSc. „Izbornite koncepti vo klasicnite teorii na demokratijata i izborniot sistem na Makedonija” (Electoral Concepts in the Conventional Theories of Democracy and Electoral System of Macedonia) page 91 table 1. Issue: „Parlamentarna Demokratija” na Institutot za socioloski i politicko pravni istrazuvawa, Skopje, 1996 ("Parliamentary Democracy" of the Institute of Socio-Political and Legal Researches, Skopje, 1996).

regulated by the Law on Local Elections¹⁴, Law on Electing Members of Parliament of the Republic of Macedonia¹⁵, Law on Electing President of the Republic of Macedonia¹⁶, Law on Electoral Districts for Electing Members of Parliament of the Republic of Macedonia¹⁷ and Law on Electoral Roll¹⁸.

3.2). Basic forms of direct citizen participation in the decision-making in the local self-government units

According to the existing regulation of the Republic of Macedonia, the following forms are available to the citizens, ensuring them direct participation in the decision-making and conducting local political processes:

a). *Civil initiative.* According to the Law on Local Self-Government, one of the forms of direct citizen participation in the decision-making on issues of local importance is the *civil initiative*¹⁹. The citizens are entitled to propose to the council of the local self-government unit to adopt a certain act or to settle certain issue within its responsibility. The council is required to discuss the proposal of the citizens if supported by at least 10% of the voters of the municipality, i.e. the local self-government the respective issue is related to. The council shall discuss the proposal within 90 days upon receiving the initiative, provided that the previous condition has been met, and shall inform the citizens on its decision.

b). *Meeting of citizens.* The meeting of citizens, as a form of direct citizen participation in the decision-making on issues of local relevance in the local self-government unit is a general meeting of citizens. Meeting of citizens may be convened for the municipality-wide area or for the local self-government area. The meeting of citizens is composed of all citizens with permanent residence in the area where the meeting is held. The meeting of citizens is conveyed by the municipality mayor on own initiative, on request of the council or on request of at least 10% of the electors of the municipality, i.e. the local self-government the issue refers to. The mayor, or other authorized individuals or representatives of the bodies of the local self-government unit,

¹⁴ "Official Gazette of the Republic of Macedonia" no. 46, 1996, as amended in 2000.

¹⁵ "Official Gazette of the Republic of Macedonia" no. 42, June 25, 2002.

¹⁶ "Official Gazette of the Republic of Macedonia" no. 20/1994.

¹⁷ "Official Gazette of the Republic of Macedonia" no. 43, June 26, 2002.

¹⁸ "Official Gazette of the Republic of Macedonia" no. 42, June 25, 2002.

¹⁹ Article 26 of the Law on Local Self-Government

if needed, reports at the meeting of citizens. During the meeting, the citizens have a right to participate equally, to take part in the discussion at the meeting, to submit suggestions on the issue subject to the meeting, to vote, etc.

On the basis of the discussion about the subject of the meeting of citizens, general guidance and conclusions on the respective issue may be adopted by majority votes of those who attend the meeting. The municipal bodies are required, within 90 days, to discuss the conclusions adopted at the meeting of citizens and to take them into consideration in the decision-making and in the adoption of measures concerning the issues they relate to, and to inform the citizens on their decisions.

c). Referendum. The local self-government units may schedule a referendum on issues of local relevance and within competence of the local self-government units. The referendum in the local self-government unit is regulated by the statute of the local self-government unit (Article 8). The referendum, as a form of direct citizen participation in the decision-making on issues of local importance is particularly significant and represents a possibility for broad application in the local self-government units.²⁰ The referendum is the most advantageous form of direct citizen participation in the decision-making. At the referendum, the citizens take part in the decision-making on certain issues by secret voting. By its essence and method of holding, the referendum is more important than the meetings of citizens. It is an instrument of free and complete expression of the opinion of the citizens, and as such, is a necessary means for compliance of the formal with material principles of pluralistic local democracy. The referendum is important instrument for balancing the direct with the representative forms and methods of decision-making in the local self-government units. It is a key element of the local self-government, in both exercising the local self-governance and the self-governance in the local self-government units as a whole (municipalities and City of Skopje). Hence, the positive result of the referendum ensures consistent implementation of the adopted decision.

Referendum may be scheduled by the council of the local self-government unit on issues within its competence, on own initiative, but there are cases where the council is required to schedule a referendum if requested by 20% of the municipality electors.

The referendum is held by secret voting. Any citizen enjoying the right to elect is entitled to vote on the referendum. The voting at the referendum is made by ballot papers, and the citizens decide on the posed question by voting "pro" and "con". The decision

²⁰ Article 28 of the Law on Local Self-Government

made by referendum will be adopted if majority of voters voted for it, provided that more than half of the total number of electors went to the polls.

The decision adopted by referendum is binding for the council of the local self-government unit. The council of the local self-government unit, in the case its proposal was not adopted at the referendum, cannot make a decision or undertake measures that contrast the decision made by the referendum. After a certain period of time, the council of the local self-government unit could adopt a decision, i.e. rise the question which was previously rejected by the citizens at a referendum.

The local self-government units are required to regulate the method and procedure for applying for scheduling a referendum as specified by the statute of the local self-government unit in accordance with the law.

3.3). Other forms and possibilities for citizen participation

a). Petitions and suggestions. Any citizen of the Republic of Macedonia is entitled, individually or jointly, to submit suggestions and petitions on the work of the bodies of the local self-government unit and the municipal administration to the mayor of the local self-government unit.²¹ The mayor shall create conditions for the citizens to submit suggestions and petitions, and shall provide an elaborated reply, within 60 days after the date of receiving the petition, i.e. suggestion, to the submitter(s). If the suggestions and petitions do not refer to issues within competence of the municipal bodies, than the mayor shall forward them to the respective competent body, and inform the submitter.

b). Public forums, surveys and suggestions. Prior to the development of the regulations concerning the municipality, the council, i.e. the mayor may organize public forums, conduct surveys or request suggestions from the citizens.²²

c). Participation in management boards of the municipal public utilities. According to the Law on Public Enterprises²³, one of the bodies of the public enterprise is the management board. The management board, as specified by law, consists of at least 5, to 15 members, at the most. The founder appoints i.e. dismisses representatives in the management board from among recognized and distinguished experts in the field of

²¹ Article 29 of the Law on Local Self-Government.

²² Article 30 of the Law on Local Self-Government.

²³ Article 17-20 of the Law on Public Enterprises, "Official Gazette of the Republic of Macedonia" no. 38, July 31, 1996.

operations of the public enterprise and representatives of the employees in the public enterprise, on proposal of the worker council. The number of representatives of the public enterprise employees in the management board is one third of the total number of members.

d). Participation in school boards in secondary and primary schools. The Law on Primary and Secondary Education provides an insignificant possibility for direct citizen participation in the primary and secondary school management through the school board and the Council of Parents. Of the total of 11 members of the school board in the primary schools, four are representatives of the teachers, tutors, professional staff and pedagogues, three are representatives of the students' parents, two are representatives of the founder (still the Government of the RM) and two are representatives of the local self-government unit.

As to the secondary schools, the school board consists of 9 members as follows: two are representatives of the founder (Government of the RM), three are representatives of the students' parents and four are representatives of the teachers, implying that the municipality is not allowed to assign its representatives.

We should also mention the possibility provided by these two laws for direct citizen participation in the management through the schools' Parents Council. The Parents Council is composed of representatives of the students' parents who are not employees of the school. This Council monitors and provides opinion on the performance of the educational work of the school. The work, the number of members, the election method and the organization of the Parents Council is specified by the School Status²⁴.

e). Participation in management boards of the Local Road Funds. Although the manner and possibility for citizen participation in this institution at local level is not strictly defined by the Law on Public Roads²⁵, many municipalities in the Republic of Macedonia which have established Local Road Funds provide this opportunity by participation in the management board of the Fund. The number of management board members, its responsibility, the method of appointing and dismissing are governed by the

²⁴ Law on Primary Education and Law on Secondary Education, "Official Gazette of the Republic of Macedonia" no. 52, from July 11, 2002.

²⁵ Law on Public Roads. "Official Gazette of the Republic of Macedonia" no.26, from May 29, 1996 and no. 40, from July 6, 1999.

municipality statute and the founding act, and hence, there is no uniform method and possibility for the citizens to take part through this form of participation at local level²⁶.

4). Empirical perceptions on the local self-government operations and the intensity of the citizen participation in the Republic of Macedonia

The empirical observations on the local self-government operations and the intensity of citizen participation in the Republic of Macedonia result from surveys conducted for the needs of the following projects: "Functioning of the local self-government system in the Republic of Macedonia, the Institute of Socio-Political and Legal Researches from Skopje, Local Self-Government Reform Project delivered by the US Agency of Implementation (DAI), the E-City Council Project and the Project "Functioning of non-economic public services in the Republic of Macedonia" organized by the Institute of Socio-Political and Legal Researches from Skopje, financially supported by the Ministry of Education and Science of the Republic of Macedonia.

The results from the surveys are very interesting since the surveys are aimed at: reflecting the conditions and relations in the functioning of the local self-government system in the Republic of Macedonia; learning about the extent to which the citizens are informed on the local developments and events and the rights they exercise as citizens to the local self-government bodies and to the self-government bodies, i.e. to the regional offices of ministries located on the territory of the municipality subject to survey; obtaining information on the citizen (non)participation in the political processes at local level, on the existence of elements of citizens' political culture and identifying the real needs and possibilities for improving the interaction between the citizens and local authorities.

²⁶ As specified by the Decision on establishing a Local Road Fund of municipality of Gazi Baba ("Official Gazette of the Republic of Macedonia" no. 8/96) the management board is also a Fund's management body. It consists of 7 members elected by the Municipal Council with term of office of four years. Unlike this decision, the Council of the municipality of Struga, allows, by its decision on establishing Local Road Fund of Struga, the municipality to delegate 5 members to the management board. Other decisions on establishing Local Road Funds of other municipalities in the RM, specify the number of members rather than the profile (expertise, position incompatibility) of the members, so in this case, in order to fulfill the party's or personal interests, the municipalities delegate councilors to the management boards of the Local Road Funds, thus consciously narrowing the possibility for broader citizen participation at local level.

The obtained and processed research results made me aware that, notwithstanding the relatively high citizen participation in the elections in the Republic of Macedonia, roughly 60%, on average, (which could be considered sufficient, but not below the average of the citizen participation in the elections in other European countries)²⁷ of the citizens participate in the political processes at local level, which is low, or even poor citizen participation of the Republic of Macedonia. The reasons for the unfavorable situation regarding the citizen participation, that is the low intensity of citizen participation in the political decision-making processes at local level in our country, are the following:

1. *The forms of direct citizen participation, i.e. the forms of direct democracy over the recent fifteen years of plural system in our county have been poorly used.* (abstracting the referenda conducted in 41 municipalities as a result of the discontentment of the proposed territorial division of the municipalities in 2004, as well as the state referendum on this issue scheduled by the Parliament of the Republic of Macedonia in the second half of 2004)

2. The second reason is a result of the *incapability to involve the citizens in the operations of the committees and work bodies of the municipal councils*, practiced from 1991 to 1995, abolished by the 1995 Law on Local Self-Government. Article 32 of the 2002 Law on Local Self-Government precisely states that the standing and temporary committees shall be established by the council from among its members.

3. *Council representatives and mayors take advantage of the possibility to involve the citizens.* Owing to the impreciseness of the provisions of some laws, and primarily their free interpretation, it happens that representatives of political parties who are members of the municipal council (councilors), for the purposes of fulfilling the party's or their personal interests, nominate themselves to the management boards of the public enterprises and school boards in the primary and secondary schools, thus largely

²⁷ According to the data from the government electoral committee, 77.76% of the total electors of the electoral roll went to the polls at the presidential elections in 1994 in the first round, 65.2% went to the poll in the first round at the presidential elections in 1999, and 69.06% in the second round. At the elections for MPs in 1998, 72.9% voted for the proportional list, 72.9% for the majority list in the first round, and 69.9% in the second round. At the local elections in 1996, 59.5% of the total number of electors voted in the second round for mayor elections, 59.85% for councilors, while at the local elections in 2000, 55.51% went to the polls in the city of Skopje in the first round.

narrowing the possibility for delegation and citizen participation in the management of such local institutions.

4. *Lack of goodwill and insufficient organization of the local municipal bodies to incorporate the citizens in the political and other processes at local level.*

5. *Weak system of informing the citizens on the situation and the legal and other possibilities at local level.* In our country there is serious ignorance for the legal possibilities available to the citizens, domination of the formal method of informing the citizens by the municipal bodies and deliberate failure by the local institutions to inform the citizens.

6. *Insufficient eagerness of the citizens.* The information obtained indicates clear manifestation of civil indifference on the work of the municipal bodies, implying that there is actual inactivity of the citizens.

7. *Poor efficiency of the municipal bodies.*

8. In our country, there seems to be a *lack of participative (activist) political culture* due to the weak exploitation of the open channels for political participation of the people in the system, i.e. due to the lack of eagerness i.e. actual inactivity of the citizens.

The above reasons inevitably lead to the conclusion that such attitude and activity of the citizens provide chances for the local bodies not to act responsibly and professionally, as they should, and as such, to be a negative factor in the functioning of the local self-government system.

5. Solutions

The situation in the local self-government in the Republic of Macedonia could substantially improve by faster application of several parallel reforms and by application of several proven democratic and practical methods and experiences on the relation between the local self-government and the citizens used in the West European countries, and by amending the existing regulations. Those solutions would include:

1. *public administration reform.* The reform should not be perceived only as a disposal of redundant workers or dismissal of party cadres, witnessed in our country over the recent years. On the contrary, the reform should ensure modernization, equipment, training, professionalism and efficiency of the public administration, transparency in the processes they conduct, closer relations with the citizens, simplification of procedures, etc. The process of switching and redefining the government role in the society should

include substitution of oversized, primarily government's command and control functions with regulatory functions, which are far more consistent with the market economy. This will ensure easier and more frequent communication of the citizens with the local bodies, confidence and smooth settlement of the accumulated problems.

2. *decentralization of central government.* The process of decentralization gives our country a chance to redefine its legal and political system and to develop a state with its citizens playing the key role, a system where the citizen participation in the local political decision-making processes will be at maximum level. If the decentralization is not a reform for conducting reforms, but a reform for creating democracy, than the success is inevitable. Only efficient decentralization could create conditions for well-performing local self-government, where the complex bureaucratic procedures become a history, and the confidence in the municipal officers becomes a future. The solving of citizens' problems in the area they arise from, that is in the municipalities, and with strong citizen participation in the decision-making at local level will ensure political stability and functioning of the overall political system.

3. *redefining of the existing territorial division.* The new territorial division is aimed at finding an entirety or fragments of such entirety which, at the same time, are large and capable to successfully perform their responsibility, but also to be fit in terms of their location to exercise the interests of the local community, i.e. to ensure higher citizen participation in the decision-making on issues of local and direct interest. The territorial division needs to provide and create conditions of equal development of all municipalities and to create opportunities for economic growth, equal regional development, indicating that it should be a result of the prepared state development strategy.

4. *Amendments to the existing regulations*

- *creating possibilities for mayor dismissal and council disbanding if required by the citizens*, i.e. amendment to Article 54 and chapter X of the Law on Local Self-Government. (introduction, i.e. allowing the citizens, in the case they are discontented with the work of their mayor, to dismiss him/her, if requested by 25% of the total number of electors in the municipality, and to hold elections for a new mayor within 30 days).

- *adoption of a new Law on Referendum, civil initiative and meeting of citizens, and reduction of the requirement that is to be met by the citizens so that they could exercise their right of direct decision-making.* (introduction of 5% census for the meeting of citizens and civil initiative, and the census for applying for scheduling a referendum to be reduced to 10%; in the case the referendum is held, it should be considered successful

if more than 30% of the electors of the municipality go to the polls, with half of them voting "pro").

- creating possibility for citizen participation in the municipal council committee - amendment to Article 32 of the Law on Local Self-Government.

- creating possibility for the citizens to be entitled to file an appeal against acts adopted by the mayor and local bodies - reintroduction of Article 58 of the 1995 Law on Local Self-Government.

5. openness and possibility for the citizens to attend municipal council sessions.

6. public hearing conducted by the city council.

7. rising the degree of citizen information and strengthening of the interrelations between the municipality and the citizens

If a society or government makes sure that its citizens are maximally informed, they would exercise their rights more easily and successfully, on the one hand, and on the other, they would be active participants in the local processes by exerting permanent pressure for eliminating the deficiencies in the functioning of the local bodies. In this light, there is a need of consistent application of the legal solution for informing the public²⁸, by establishing Civil Information Centers. Such centers should represent an institutionalization of a service-providing office to the citizens in the local self-government by establishing a mechanism - center symbolizing the new attitude of the local self-government to the citizens as "clients" of the government, creating a feeling that their needs and problems represent a concern of the local authority.

Strengthening of the relations with the citizens is a solid investment for better policy-making and represents a basic element of well ruling. It allows the government to find new sources of ideas relevant to policy-making, as well as sources of information and resources necessary for making decision on local and higher level. Such strengthened relations contribute to developing a confidence of the citizens to the local and higher government, increasing the democracy quality and enhancing the civil power.

When strengthening the relations with the citizens, the government (whether local or central) has to make sure that:

- Information relevant to the citizens must be comprehensive, unbiased, accurate, relevant and accessible, i.e. easily found and understandable.

²⁸ Article 8 of the Law on Local Self-Government, "Official Gazette of the Republic of Macedonia" no.5, January 20, 2002.

- Consultations must have clear objectives and rules defining the usage limits. In such cases, it is necessary to define the obligation of the government so that it matches the usage of the contribution of the citizens,

- Transparency in the decision-making and ensuring public citizen participation in the political processes provide an ample time, room and flexibility to enable spooling up of new ideas and mechanism for integrating the ideas and proposals to the policy-making process.

8 *establishing civil counseling boards.* Civil counseling boards are one of the most efficient instruments for institutionalizing the public participation and participation in the government. They provide public discussion forums and constitute more formal public discussion institutions compared to the occasional public hearings and public debates. Such boards may be established by law or created ad hoc, if there is a need for settling an issue. The members of such boards may convene regularly in order to hear the interests of the citizens on particular issue, or may meet occasionally until the particular issue is solved. The meetings of such boards, by rule, should be open to the public and media. The counseling boards, by rule, do not undertake legal activities, but only propose an activity submitted for an approval by the municipal council. The board meetings often provide an opportunity for thorough discussion and consideration on certain issues, rather than at the regular council sessions. Since the local self-government accepts an increase in its competencies, mostly without enhancing the financial sources, the civil counseling boards could voluntarily be of a great professional assistance to the local administration.

9 *active interrelation between the local self-government and non-government organizations.*

10 *development of system for monitoring the complaints, suggestions and petitions of the citizens*

11 *introduction of E -municipal councils.* Following the contemporary world trends, and maximally taking advantage of the modern technology, it is inevitable to establish E-municipal councils as a means of communication, both internally and externally. Such communication will be provided by:

- e-mail communication with the elected counselors in the municipal councils;
- development of uniform databases and documents;
- publishing and exchange of selected documents and information;
- exchange of documents and e-mail by Internet;

- presentation of the work of the municipal council, the mayor and other services. Such E-municipal councils will provide bi-directional communication between the public, on one hand, and the council, the mayor and other services, on the other. This will ensure dissemination of all information relevant to the citizens, promotion of programs and activities that have been or will be implemented in the future. The citizens could pose questions and give their opinions electronically through their personal computers at home, at work, through the publicly available resources of the open city office or through the municipal information center, etc.

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