Ministry of Local Government

POLICY PAPER

PROMOTING AND INSTITUTIONALIZING PUBLIC PARTICIPATION IN LOCAL GOVERNMENT UNITS’ AFFAIRS

March 2011
Foreword

As the authorized body to oversee Local Government Units (LGUs), the Ministry of Local Government (MoLG) articulates through this paper its policy towards creating an enabling democratic environment that allows for effective participation of citizens and organizations in Local Government Units’ (LGUs) affairs. This policy paper is in line with the principles of good governance and is a critical step towards achieving the vision of the local government and administration sector of “good local governance able to achieve sustainable development with effective community participation”.

Promoting and enhancing democracy and transparency in LGU affairs is one of the primary objectives of the MoLG. This objective is only attained through enhancing trust between LGUs and citizens, thereby enhancing all stakeholders’ awareness of their rights and duties.

The MoLG adopted a consultative and participatory approach in the process of developing this policy paper. A number of workshops and meetings were held with relevant stakeholders in the local government sector to put forth their recommendations to strengthen the policy paper including LGUs and civil society organizations.

It is my pleasure as the Palestinian Minister of Local Government to announce the policy paper on “Promoting and Institutionalizing Public Participation in Local Government Units’ Affairs”. This step will certainly contribute in achieving the desired local development.

On behalf of the Ministry of Local Government, I extend my sincere gratitude to all those who contributed to developing this policy paper, particularly our partners in the Local Democratic Reform Program–Tawasol, funded by the United States Agency for International Development (USAID) and implemented by CHF International.

Dr. Khaled Fahed Kawasmi  
Minister of Local Government  
March 2011
# Table of Contents

Foreword ........................................................................................................... 1

I. Introduction ..................................................................................................... 3

II. Definitions ...................................................................................................... 3

III. The Reality of Public Participation in Local Governance ......................... 4

IV. The Purpose and Objectives of Developing a Public Participation Policy Paper ........ 5

V. Methodology of Developing the Public Participation Policy Paper ................ 5

VI. The Principles of Public Participation in LGU Affairs ................................. 6

VII. Policies of Public Participation in LGU Affairs .......................................... 6

VIII. Requirements to Implement Public Participation Policy Paper ................. 11
Introduction

In July 2010, the Ministry of Local Government (MoLG) initiated a dialogue process on public participation in Local Government Units’ (LGUs) affairs. The MoLG held a series of workshops that brought together representatives of LGUs and MoLG, civil society organizations, and community leaders to discuss and establish a common framework on the concept, roles of stakeholders, tools, and mechanisms to enhance public participation in local government. The initiative was implemented in accordance with the MoLG’s strategy for 2010-2014, and its vision “good local governance able to achieve sustainable development with effective community participation”.

The policy paper is the result of the dialogue process and presents a national framework to promote and institutionalize public participation in local government, and supports Palestinian efforts to strengthen democracy and good governance principles and contribute sustainable local development. The paper was developed in cooperation with CHF International with funding from the United States Agency for International Development (USAID) through the Local Democratic Reform Program-Tawasol.

Definitions

The terms in this paper which were previously defined in the Local Government Law have the same definitions included in the law. In addition, the following is a set of relevant definitions:

- **Local Community**: Citizens, civil society organizations, private sector and public institutions.
- **Local Community Representatives**: A group selected by the people to represent the various community groups, such as women, youth, private sector and civil society organizations.
- **Public Participation**: An aspect of good local governance that enables the citizens and institutions to participate in the planning, implementation, evaluation of municipal activities and services, and the optimal use of available resources. It also supports initiatives and contributions to serve the public interest and create local development. Public participation, as it is discussed in this paper, does not provide the public with the authority to assume the responsibilities and exercise the authorities of LGUs granted by law.
- **Access to Information**: A one-way public participation approach in which the LGU provides information to the public on the plans, procedures, and decisions of the LGU through the appropriate means and in a timely manner.
- **Consultation**: Two-way public participation through which the LGU consults with representatives of the local community and various stakeholders to solicit their input and opinions on the LGU’s decision making process.
- **Active Participation in Planning and Decision-Making**: Two-way public participation through which the LGU gives the opportunity to all stakeholders to participate in the planning and decision-making of LGU affairs.
- **Stakeholders**: People or institutions likely to be affected or can affect the LGU’s planning and decision-making processes.
The Reality of Public Participation in Local Governance

Many Palestinian LGUs exercise one or more forms of public participation in varying degrees using different tools through LGU-initiated activities or donor-funded programs. In addition, there are other forms of public participation in terms of citizens and institutions providing in-kind and financial contributions to the LGUs and to initiatives that serve the public interest. There are four levels of public participation in LGU affairs in the Palestinian Territories:

1. **Information Disclosure**: such as publishing LGUs’ newsletters and bulletins, providing the public with access to physical plans, publishing municipal service procedures and some financial statements.
2. **Consultation**: such as forming LGU sectoral committees, consultative meetings, town hall meetings, citizen complaint box, neighborhood committees, and implementing the “Open Door” policy.
3. **Participation in Planning and Decision-making**: such as the public’s participation in developing strategic development plans and identifying the community’s needs, and the participation of specific groups (such as youth) in the designing of a community project.
4. **In-kind and financial contributions**: such as implementing voluntary work or providing in-kind and financial donations.

However, these practices are limited to a number of LGUs and are not institutionalized, particularly in the absence of a public participation policy and binding regulations. In addition, the level of public’s involvement vacillates based on the understanding of citizens and institutions of their role in promoting democracy and good governance concepts and supporting local development. In many cases, public participation is superficial, ineffective and is not representative of the local community. There are challenges in communication between citizens and public institutions from one hand, and citizens and the LGUs on the other, for one or more of the following reasons:

- Lack of appropriate communication tools and mechanisms.
- Public’s lack of knowledge in LGUs’ work and its participatory role in supporting local development.
- Lack of LGUs’ awareness of the value of public participation in planning and decision-making at the local level.
- Lack of public’s interest and belief in the value of participation and as a result of previous failures in this area.

Therefore, the most important challenges to promoting and institutionalizing public participation in LGU affairs are:

- Lack of clarity on the concept, levels, tools and importance of public participation and its role in promoting the principles of good governance.
- Weak public awareness of and belief in the importance of public participation in supporting local development.
- The absence of regulations necessary to promote and institutionalize effective public participation in LGU affairs.
The Purpose and Objectives of Developing a Public Participation Policy Paper

The objective of this policy paper is to establish a common framework for the promotion and institutionalization of effective public participation in planning and decision-making processes at the local level. It also aims to contribute to creating an enabling environment that promotes citizen’s and community’s participation in the public discourse and decision making processes.

The objectives of this paper are:
- Enhance and institutionalize public participation in LGUs’ affairs.
- Promote good governance practices in LGUs’ affairs.
- Strengthen levels of trust between citizens and public institutions, and citizens and LGUs.
- Develop means of communication that provide an opportunity for citizens to access information and provide feedback on LGUs’ affairs, and participate in the LGU planning and decision-making processes.
- Increase the effectiveness of LGUs’ services in terms of responsiveness to local needs and priorities and ensure fairness in service delivery distribution.
- Raise the awareness of citizens and institutions on their role in supporting local development.
- Increase citizens’ sense of loyalty, responsibility and commitment to the community and promote the community’s sense of ownership in public achievements and properties, and the need to safeguard them.
- Enhance the local community’s cohesion and the sense of uniting around public goals.
- Support initiatives and contributions of citizens and institutions to serve the public interest and contribute to local development.

Methodology of Developing the Public Participation Policy Paper

This policy paper was developed through a participatory methodology that included:
1. Review the literature on public participation in local governance.


3. Held three consultative workshops with the participation of the MoLG, LGU representatives, civil society organizations and community leaders.
   - The first workshop targeted 20 MoLG leadership and key staff. The workshop provided an overview of public participation, and explored tools and mechanisms to strengthen public participation.
   - The second workshop was conducted for 39 LGU representatives and explored the LGUs’ perceptions of the concept and practices of public participation, and obstacles and mechanisms to promoting and institutionalizing it.
-The third workshop targeted civil society organizations and community leaders. The workshop focused on the civil society’s role in the implementation of public participation practices in LGU affairs.

4. Develop the policy paper based on the literature review, MoLG guidelines on the promotion and institutionalization of public participation as stated in its strategic plan for 2010 – 2014, and the outcomes of the three workshops.

The policy paper was shared with the above mentioned stakeholders and amendments were made according to their input and feedback.

**The Principles of Public Participation in LGU Affairs**

The public participation policies included in this paper are based on the following principles:

- Reflecting the MoLG guidelines for promoting and institutionalizing public participation in local governance which are included in the MoLG’s five-year strategic plan for 2010-2014.
- Supporting community participation initiatives by LGUs, individuals and civil society organizations.

**Policies of Public Participation in LGU Affairs**

The following policies are designed to promote and institutionalize public participation in LGU affairs. This process is expected to positively impact the efficiency and effectiveness of LGUs’ performance, and increase the communities’ sense of loyalty and ownership in public achievements and resources, and the need to safeguard them.

**FIRST: PROMOTE SOUND PUBLIC PARTICIPATION CONCEPTS AND PRACTICES IN LGU AFFAIRS**

This policy will be implemented using the following approaches:

1. Raise LGUs’ awareness of the concepts, mechanisms and importance of public participation in local governance and supporting sustainable local development.

   This is the responsibility of the MoLG in cooperation with national non-governmental organizations (NGOs) concerned with citizens’ rights.

2. Raise the public’s awareness of LGUs’ work, its participatory role in local governance, and its rights and responsibilities in supporting local sustainable development. The public (citizens, civil society organizations, and public institutions) is considered a major stakeholder in municipal work. Public participation in local governance is essential to the success of LGUs and promoting sustainable development.
This is the responsibility of LGUs in collaboration with national NGOs concerned with promoting the principles and concepts of good governance

3. Incorporate the following principles as basis for sound and effective public participation in LGUs’ affairs:

- **Community First**: LGUs’ services should be responsive to the local community’s needs and priorities and are planned in partnership and in consultations with the community.
- **Communication**: Providing information on a regular basis to the community on LGUs’ activities and services, and the impact of public participation on LGUs’ operations.
- **Effectiveness**: Public participation should have specific objectives shared with the relevant stakeholders in advance. Participation activities should be planned and integrated within the LGU work, and not included as a formality in LGU activities.
- **Compatibility**: The most appropriate approaches and tools of public participation should be identified based on the specific context.
- **Representation**: Participation should be inclusive and representative of all stakeholders and not limited to a specific group, sector, or organization.
- **Availability**: The public should have access to information and to the facilities designated for public meetings. In addition, the language used in public communiqués should be clear for all concerned stakeholders.
- **Reflects a sense of ownership and the spirit of initiative**: Public participation activities should be implemented in a responsible manner through initiatives from the LGU, citizens, and public institutions.

4. Promote sound public participation practices in all LGUs and local communities. Publish and disseminate success stories, encourage the exchange of experiences between LGUs in this area.

This is the responsibility of the MoLG in cooperation with the Association of Palestinian Local Authorities (APLA).

**SECOND: GRADUAL IMPLEMENTATION OF PUBLIC PARTICIPATION ACTIVITIES AT DIFFERENT LEVELS GRADUALLY**

This policy will be implemented using the following approaches:

1. Consider the four levels of public participation in implementation of activities:

   **First: Information Disclosure**, The LGU should provide the public with balanced and objective information on municipal services and procedures, LGU plans, challenges, available resources and opportunities for development, and achievements.

---

1 There is a fifth level which is the empowerment of the public to take a decision. It means the transfer of decision making authority to the public on certain decisions. One of the appropriate tools for this purpose is to allow the public to vote on certain decisions, provided that the voting results are binding to the local authority.
The LGU can use the following tools to improve information disclosure: town hall meetings, public announcements, LGU website, e-mails, radio and television, and bulletins.

**Second: Consultation**, Soliciting feedback from the public on the LGU plans, budget, performance, municipal service procedures, and activities. The following tools can be used to enhance consultation between the LGU and the public: hearing sessions, town hall meetings, complaint box, use of e-mail to solicit the public feedback on LGU performance, conduct public polls, focus group discussions, establish neighborhood committees, and participate in radio or TV programs which bring together representatives of the LGU and the public.

**Third: Participation in planning and decision-making**, Direct participation of the public in various stages of planning and decision-making. In this case, the public should be involved in exploring alternatives and deciding on the best appropriate option, which takes into consideration interest and priorities of the local community. The following tools can be used for this purpose: advisory committees, sectoral committees, community development strategic planning, integrity committees, workshops to build public consensus on certain issues.

**Fourth: Public’s financial and in-kind contributions**, Participation in the form of financial and in-kind contributions is mostly reliant on initiatives from citizens or institutions. These contributions include: voluntary work, implementation of programs/projects authorized by the LGU, and financial and in-kind contributions.

2. Require all municipalities to implement the first level of public participation (Information Disclosure) practices on an expanded level.

**This is the responsibility of the MoLG’s Guidance and Monitoring General Directorate to ensure the implementation of this activity.**

Following are recommended practices for LGUs to implement the first level of public participation:

- Publish the LGU’s financial audit reports and management responses. This includes the reports of external auditors, the MoLG’s Guidance and Monitoring General Directorate, General Audit Bureau, and the LGU internal performance reports if available.
- Publish the LGU’s strategic development annual implementation plans, as well as the results of follow-up assessment for these plans.
- Publish the approved LGU budget.
- Publish the LGU’s municipal services procedures, including the procedures for the permits and basic services provided by the LGU.
- Publish the regulations related to the fees and services approved by the MoLG and other regulations as deemed appropriate by LGU.
- Publish any internal performance assessment reports prepared by the LGU, particularly the reports related to the quality of services and fairness in distribution.
- Publish any additional information that the LGU deems useful for the public.
3. Require all municipalities to implement the second level of public participation (Consultation) practices.

   **This is the responsibility of MoLG’s General Directorate of Guidance and Monitoring to ensure the implementation of this activity.**

   Following are recommended practices for the LGUs to implement the second level of public participation:

   - Form and activate advisory and sector committees when deemed necessary.
   - Establish Youth Councils. This practice is up to the discretion of the LGU.
   - Hold at least two town hall meetings annually to consult with the local community on issues relevant to the public interest.
   - Hold at least three hearing sessions per year.
   - Conduct performance self-assessment using a standard opinion poll.  
   - Identify needs for development projects and involve the local community in this process. The MoLG’s Project Directorate, Joint Service Councils Directorate, and the Urban Planning Directorate, as well as the Municipal Development and Lending Fund (MDLF) will be responsible for supporting this activity.
   - Consult with and solicit feedback from the public on the quality of services and fairness in distribution. This will be accomplished by implementing the “Open Door” policy, and holding at least five focus group discussions with the public.

4. Encourage and support municipalities in (A) and (B) categories to implement the third level of public participation practices (Participation in Planning and Decision-making), to include the following:

   - Develop strategic development plans, with the participation of the local community in the process, based on MoLG’s policy paper for community strategic planning. The MoLG Urban Planning Directorate is responsible for supporting the strategic planning initiatives in cooperation with the General Directorate of Project, General Directorate of Budgets and the MDLF.

   - Develop annual implementation development plans with the participation of professionals representing the local community and relevant stakeholders. The MoLG Urban Planning Directorate is responsible for encouraging this activity.

   - Assess alternatives for physical planning based on public participation and the physical planning manual adopted by the MoLG.

   **This is the responsibility of the MoLG’s Urban Planning General Directorate to support participatory physical planning initiatives.**

5. Encourage citizens and public institutions to practice the fourth level of public participation (Public’s financial and in-kind contributions) through:

---

2 The opinion poll is based on a questionnaire developed by the MoLG to assess the quality and fairness in distribution of services provided by LGUs.
- Award the "Citizenship Medal" by the LGU to the top three donors at the end of each year at a ceremony organized specifically for this purpose. The LGU can determine the value of the minimum donation required to qualify for the Citizenship Medal.

- The LGU to honor the individuals and institutions which make financial and in-kind contributions for public initiatives and/or the LGU at the ceremony mentioned above. It is up to the discretion of the LGU to evaluate these contributions and determine appropriate ways for honoring the contributing individuals and institutions.

- The LGU to encourage and support the voluntary work that is initiated by individuals, groups or institutions. This can be done through the direct participation of senior representatives from the LGU and PA representatives in these initiatives, as well as through providing needed equipment, facilities and mechanisms for voluntary work.

- The LGU to involve civil society and community-based organizations in overseeing the implementation of local development activities and projects in a way that does not contradict with the rules and regulations of the work of LGUs and under its supervision.

This is the responsibility of the MoLG’s General Directorate of Guidance and Monitoring to ensure the implementation of this activity.

THIRD: INSTITUTIONALIZE OVERSIGHT OVER THE IMPLEMENTATION OF PUBLIC PARTICIPATION PRACTICES ON THE FOUR LEVELS

This policy will be implemented using the following approaches:

1. The MoLG’s Strategies and Policies Unit is responsible for overseeing and monitoring the implementation of the policies and procedures to promote and institutionalize public participation in LGU affairs included in this policy paper.

2. All MoLG’s directorates and departments assume their responsibilities to ensure the implementation of the policies and procedures as specified in this paper, each according to its mandate.

3. Each LGU will establish a “Public Participation” committee. The committee should be composed of two council members, six representatives of the local community, and two LGU senior staff3, and will be chaired by the Mayor or head of the LGU. The main task of the committee is to ensure that the LGU implements the policies and procedures related to the promotion and institutionalization of public participation as described in this paper. The committee is also responsible to Municipal Council for ensuring proper implementation of public participation practices. The Municipal Council is accountable to the MoLG on this matter.

3 Preferably, one staff is the director of the LGU public relations
4. Identify training needs for all relevant directorates, departments, and subdivisions (at the MoLG and regional directorates level) necessary to implement the policies, procedures and guidelines for the promoting and institutionalizing public participation as specified in this paper. Following the need assessment, training programs are designed and implemented accordingly.

Requirements to Implement Public Participation Policy Paper

The following are the requirements to implement the policies and procedures of this policy paper:

- Publish and disseminate the policy paper within all MoLG’s and LGUs’ departments to start the implementation of the public participation policies and procedures by May 2011. The paper should be updated and circulated on regular basis when necessary.

- All the MoLG directorates and departments will develop their internal working procedures, including timetables and assignment of tasks to staff, to ensure the implementation of the policies and procedures included in this paper. The directorates and departments should complete the preparations, in coordination with LGUs, by June 2011.

- All LGUs are requested to form “public participation” committees, which are approved in a council formal meeting. The LGUs are requested to inform the MoLG of the formation of these committees in preparation for MoLG’s approval before the end of August 2011.

- Identify capacity building training for all relevant staff and finalize the implementation of training programs by the end of July 2011 at the latest.

- All directly involved MoLG general directorates, departments, units and directorates will assume their responsibilities to ensure the implementation of policies and procedures of this paper.