

Local Communities in Bosnia and Herzegovina

Challenges and Prospects for Institutional Development



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1.

Introduction

Local communities (*mjesne zajednice* – hereafter LCs)¹ in Bosnia and Herzegovina (hereafter BiH) have for a long time been perceived as a relic of the country's Yugoslav past. The sub-municipal institutions were established in former Yugoslavia as hubs of community self-government, serving as venues of citizen engagement around community problems. However, after the former socialist political system was dismantled following the 1992-1995 war and new institutions were installed, not much attention had been paid to local communities.

As of recently, LCs have been receiving increasing attention, especially of international and non-governmental organizations. As legally recognized sub-municipal institutions, they are seen as having potential to foster citizen engagement. A 2012 survey of Centres for Civic Initiatives (CCI), administered in 14 municipalities in BiH, shows that respondents were the most aware of the possibility to participate through the LC (74.6%) out of a number of other participation mechanisms at the local level, and that the LC is among the most frequently used participatory mechanisms (33.2%).² Although a 2009 World Bank study survey data from 20 municipalities showed that most citizens did not have the experience of engagement in their community activities, of those respondents who did, 81% described LC council meetings as the most useful activity of participation.³ Thus, it is not surprising that a number of projects to date, implemented by different organizations, have focused on strengthening LCs. Some initiatives have pushed for a change of their legal status and have advocated

¹ We refer here to *local community*; in some literature, the term *neighborhood committee* is also used in the English language in reference to these institutions in BiH.

² Centres for Civic Initiatives (CCI), *Izveštaj o stanju učešća građana u procesima odlučivanja u BiH za 2012. godinu* [Report on the State of Citizen Participation in Decision-Making in BiH for 2012], (Banja Luka: CCI, 2013), pp. 8-9, 21.

³ World Bank, *From Stability to Performance: Local Governance and Service Delivery in Bosnia and Herzegovina* (Washington, DC: World Bank, 2009), p. 33.

for a minimum of standards for local community operations through local acts, while others have worked on strengthening local community capacities.⁴

However, a number of obstacles to local community functioning remain. Some authors highlight as challenges, *inter alia*, the lack of formal competences of these bodies, their missing financial autonomy and inconsistent budgetary allocations from local government to LCs, as well as the influence of political parties on the elections of LC councilors and presidents.⁵ The World Bank study shows vast differences in local respondents' awareness of, and participation in their respective LC activities between different municipalities,⁶ signaling that, depending on the locality, LCs may be more or less active, and may take on different roles. A 2013 study of communal services in the city of Sarajevo showcases both the potential of urban LCs to serve as a link between government and residents and the discontent with LCs that residents expressed, stemming from a perceived lack of LCs' efficiency and inability to help citizens relay their problems to higher levels of government.⁷

Understanding the functioning of LCs in BiH, as well as the context in which these institutions operate, is challenged by a lack of comprehensive research on the subject. Studies on local communities in BiH to date have offered only a partial glimpse into the different aspects of LC operations in practice. No baseline information has been collected, including reliable data on the number of LCs. There have generally been no official data or estimates published on the number of LCs in BiH, and such data are not collected by the statistical offices. In general,

⁴ See, *inter alia*, activities of the Center for Civic Cooperation (CGS) from Livno, which works on capacity-building of LCs in ten municipalities of Cantons 8 and 10 in the Federation of Bosnia and Herzegovina; Also see Mozaik's community-building activities as part of the "Network for Active Communities," available at: "Mreža za aktivne zajednice," Mozaik Foundation, website, <http://www.zaz.ba/> (Accessed on October 31, 2014); CCI's proposals for changing policies on LCs, available at: "Nova mjesna zajednica" [New Local Community], CCI, website, <http://novamz.ba/> (Accessed on October 31, 2014); or OSCE's capacity-building support to LCs and work on changing local acts, see: OSCE Mission to BiH, "Support to Local Communities" (Sarajevo: OSCE Mission to BiH, n.d.). See also MDP Initiatives' work on action-planning in LCs (more in Mirna Jusić, *Karika koja nedostaje: Mjesne zajednice kao pokretač aktivnog učešća građana u lokalnom razvoju; naučene lekcije iz procesa akcionog planiranja u 14 mjesnih zajednica u Bosni i Hercegovini* [The Missing Link: Local Communities as Initiators of Active Citizen Participation in Local Development; Lessons Learned from Action-Planning Processes in 14 Local Communities in Bosnia and Herzegovina] (Doboj: MDP Inicijative, 2011).

⁵ Reuf Bajrovic and Igor Stojanovic, "Submunicipal Government and Decentralization in Bosnia and Herzegovina," in *Mind Your Own Business! Community Governance in Rural Municipalities*, ed. Gábor Péteri (Budapest: OSI/LGI, 2008), pp. 29-42.

⁶ World Bank, *From Stability to Performance*, p. 33.

⁷ For more, see: Mirna Jusić, *Degradacija grada: Razlozi za propadanje javnih prostora u sarajevskim naseljima i prijedlozi rješenja* [A City's Decline: Reasons for the Deterioration of Public Spaces in Sarajevo Neighborhoods and Proposed Solutions], (Sarajevo: Analitika - Center for Social Research, 2013), pp. 63-65.

empirical studies on the subject are few, with most analyses to date focusing on the legal framework regulating LC work.

The research presented in this study was conducted in order to systematically learn about the countrywide practices of LCs in BiH, and to offer broad recommendations for improving local community work in BiH. Given the lack of baseline information on their functioning, it is difficult to analyze the work of LCs in BiH and to hypothesize in a meaningful way what contextual factors may be influencing their work. Provided these difficulties, the research is largely exploratory, seeking to gather insights and create descriptive accounts of the operations and functions of LCs.

The report is structured as follows: The next, second, chapter features an overview of concepts related to sub-municipal and neighborhood-level governance, followed by a chapter on comparative practices of LCs in the countries of former Yugoslavia. In the fourth and fifth chapters, the analytical framework and research design are laid out. In chapter 6, research results are presented, structured according to key aspects of local community functioning. A conclusion and recommendations follow.

2.

Conceptual Overview: Ideas of What Sub-Municipal Governance Should Be

Sub-municipal or neighborhood-level governance is widespread in Europe and takes on different forms. City districts especially have become popular forms of sub-municipal governance across Europe in the past 20 years.⁸ Sub-municipal units may vary in constitution and design –for example, they may be directly elected by citizens, may be made up of councilors from the local government council (as in some cities in Britain), or may be appointed by local authorities (as in some Scandinavian cities).⁹ They have also become common sites of intervention of decision-makers who seek to empower citizens or improve local service delivery.¹⁰

In order to understand sub-municipal governance in BiH, it is important to reflect on the concepts that define what local communities are and what they are expected to be. Sub-municipal bodies are, after all, not unique to BiH or other countries of former Yugoslavia, and their purpose, as well as the complex exchanges that occur in their vicinities, have drawn interest from a number of social sciences, including public administration, political science, sociology and urban studies. This chapter looks at both the different purposes of sub-municipal governance, as well as the principles that guide them, as identified in international research. This is done in order to understand whether or not local communities in BiH face the same challenges and meet or diverge from the principles inherent to sub-municipal governance in other contexts.

⁸ E.g. see Paweł Swianiewicz, “Intra-Municipal Units in Urban Political Systems in Poland: Vicious Round-About of Marginalization or Dead-End Street?” (draft paper presented at the Annual EURA conference, Enschede, July 3-6, 2013), p. 1.

⁹ *Ibid.*

¹⁰ E.g. see Lowndes and Sullivan (2008) for their overview of UK policies focusing on neighborhoods. Also see Blokland and Horak (2012) for a reflection on the US, Dutch and German experience.

2.1. Defining Sub-Municipal Governance

In literature, sub-municipal units such as local communities are usually considered in the context of neighborhood-based governance, which, by Chaskin's (2003) definition, is

“the engagement of neighborhood-level mechanisms and processes to guide civic participation, planning, decision-making, coordination, and implementation of activities within the neighborhood, to represent neighborhood interests to actors beyond it, and to identify and organize accountability and responsibility for action undertaken.”¹¹

Governance itself is differentiated from *government*: It entails governing by non-hierarchical and negotiated, formal or informal interactions between actors, rather than by a traditional, hierarchical bureaucracy.¹² It may imply co-governance arrangements, whether initiated by government or by citizens operating outside the political system. Neighborhood-based institutions appear conducive to such governance arrangements, as they may take on different shapes and forms and may, depending on their institutional capacity, be able to bridge different community groups and establish new administrative means to arrange for, prioritize and coordinate the activities of different stakeholders in a given community.¹³

As institutions, sub-municipal units are thought to represent a single or more neighborhoods, at least in an urban setting. Neighborhoods are seen as “a spatial construction denoting a geographical unit in which residents share proximity and the circumstances that come with it,” and are considered residential parts of a larger area.¹⁴ Although definitions of a neighborhood may vary, there is generally a notion that they are to encompass connections that are inherent to a *local community* – a term used to connote different types of social, functional, cultural or circumstantial connections that may or may not be territorially defined.¹⁵ In any case, the concept of “neighborhood” suffers, as Horak and Blokland (2012)

¹¹ Robert J. Chaskin, “Fostering Neighborhood Democracy: Legitimacy and Accountability within Loosely Coupled Systems,” *Nonprofit and Voluntary Sector Quarterly* 32, no. 2 (2003), p. 162.

¹² Vivian Lowndes and Helen Sullivan, “How low can you go? Rationales and challenges for neighbourhood governance,” *Public Administration* 86, no. 1 (2008), p. 54.

¹³ Kathi and Cooper (2005) in Yonn Dierwechter and Brian Coffey, “Assessing the effects of neighborhood councils on urban policy and development: The example of Tacoma, Washington,” *The Social Science Journal* 47, no. 3 (2010), p. 473.

¹⁴ Robert J. Chaskin, “Perspectives on Neighborhood and Community: A Review of the Literature,” *Social Sciences Review* 71, no. 4 (1997), pp. 522-523.

¹⁵ *Ibid.*

write, from “inherent ambiguity,” as understandings of residents concerning what a neighborhood is (e.g., place-based or interaction-based) may be different from the assumption of public authorities that social and political-administrative units correspond.¹⁶ In other words, neighborhoods are socially constructed, and as such, may or may not correspond with territorial boundaries of administrative sub-municipal units.¹⁷

2.2. Purpose(s) and Expectations of Sub-Municipal Governance

There are a number of normative arguments in favor of establishing sub-municipal or neighborhood-level institutions. A major one is the conviction of the merit of citizen participation in a decentralized setting, which is seen to allow for easier and more feasible access to local decision-making and ultimately to improve it. As Chaskin (2003) writes, participation at this level is seen to “promote more responsive, competent programs; place boundaries on and refocus municipal agendas; establish greater trust in government; create a more equitable distribution of public goods; increase social interaction and a sense of community among residents; and strengthen the link between citizens and government.”¹⁸

In addition to improving decisions, participation is considered an end in itself:¹⁹ Neighborhoods are recognized as sites that could develop and mobilize civic skills – “the capabilities of individuals and groups to pursue goals that are broader than their personal needs.”²⁰ Neighborhood-level institutions may provide access points to political power,²¹ help residents mobilize around opportunities and issues and “democratize the administrative state.”²² Overall, there is the notion of the potential of neighborhood-based institutions to act as “opportunity structures” or “open bureaucracies” that are able to propose, implement, or alter

¹⁶ Martin Horak and Talja Blokland, “Neighborhoods and Civic Practice,” in *The Oxford Handbook of Urban Politics*, eds. Karen Mossberger, Susan E. Clarke and Peter John (New York: Oxford University Press, 2012), p. 254.

¹⁷ Lowndes and Sullivan, “How low can you go,” p. 56.

¹⁸ Chaskin, “Fostering Neighborhood Democracy,” p. 163.

¹⁹ *Ibid*, p. 172.

²⁰ Horak and Blokland, “Neighborhoods and Civic Practice,” p. 255.

²¹ De Filippis (2001 in *Ibid*, p. 260) finds that social capital (measured through vibrant associational activity) may be a necessary, but not a sufficient condition to empower residents to act collectively. Residents’ ability to identify access points to the wider system of political and economic power also matters.

²² Chandra Pradeep Kathi and Terry L. Cooper, “Democratizing the Administrative State: Connecting Neighborhood Councils and City Agencies,” *Public Administration Review* 65, no. 5 (2005).

urban development policy, and even form an institutional infrastructure that may allow for more redistributive and progressive politics of tackling inequality.²³

What such institutions may look like in practice and what interactions may occur through them depends on the rationale behind their establishment. Lowndes and Sullivan (2008) identify four rationales for neighborhood governance in policies of the UK –civic, social, political and economic (see Table 2.1). These ‘ideal types’ of neighborhood governance are analytic categories that may not correspond to real-life entities (or be mutually exclusive), but their contribution is the recognition that institutional design and policies have implications on the effectiveness of such institutions.²⁴ Although based on UK experiences of specific neighborhood policies, the typology may be generalized to other contexts where similar purposes are envisaged for sub-municipal units.

Table 2.1. Four ideal types of forms of neighborhood governance

	Neighborhood empowerment	Neighborhood partnership	Neighborhood government	Neighborhood management
Primary rationale	Civic	Social	Political	Economic
Key objectives	Active citizens and cohesive communities	Citizen well-being and regeneration	Responsive and accountable decision making	More effective local service delivery
Democratic device	Participatory democracy	Stakeholder democracy	Representative democracy	Market democracy
Citizen role	Citizen: voice	Partner: loyalty	Elector: vote	Consumer: choice
Institutional forms	Forums, Co-production	Service board, mini-LSP ²⁵	Town councils, area committees	Contracts, charters

Source: Lowndes and Sullivan 2008, p. 62.

In brief, the *civic* rationale rests on the goal of more effective citizen participation in local affairs because of the accessibility, proximity, relevance and feasibility of involvement that such units provide for. They may also serve as spaces for co-production of policies and services.²⁶

The *social* rationale is citizen well-being and stakeholder collaboration. Citizen input is seen to remove obstacles to service delivery and decision-making. Stakeholder democracies may be built around partnership in bodies such as public service boards or strategic forums, bringing together different interest groups, including service providers and decision-makers, “into a process of

²³ Dierwechter and Coffey, “Assessing the effects of neighborhood councils on urban policy and development,” p. 472.

²⁴ Lowndes and Sullivan, “How low can you go,” pp. 54-55.

²⁵ Local strategic partnership.

²⁶ *Ibid*, p. 57.

collective decision making.” In this constellation, community representatives are to establish their legitimacy both with residents and “more powerful and experienced stakeholders with whom they sit.”²⁷

The *political* rationale centers around strengthening accessibility, responsiveness and accountability of community representatives who are directly elected to address citizen needs; the notion is that they will be more responsive because their actions are visible and citizens are more knowledgeable about issues at stake.²⁸

In the *economic* rationale, more efficient and effective use of available resources takes center stage. Local institutions identify and limit waste in service delivery.²⁹ As the traditional “economics of scale” perspective behind government delivery of public services is increasingly challenged by the “economies of scope,” where customized services are provided through privatization, contracting out or partnership,³⁰ neighborhood institutions commission services that address specific needs of individual localities.³¹ For example, in the UK, “neighborhood charters” and other documents specify the levels of service and standards citizens may expect and demand.³² This rationale is consistent with the expectation that neighborhood institutions foster more efficient service delivery, building upon local knowledge and combining it with professional knowledge.³³

In the Council of Europe’s Committee of Ministers *Recommendation Rec (2001) 19 to member states on the participation of citizens in local public life*, one can identify both citizen engagement and direct service delivery rationales in its promotion of sub-municipal units. The recommendation rests on the principles of both participatory and representative democracy, also inherent to the European Charter of Local Self-Government, as it advises the local authority to “develop, both in the most populated urban centres and in rural areas, a form of neighborhood democracy, so as to give citizens more influence over their local environment and municipal activities in the various areas of the municipality.”³⁴ More concretely, this is to be done by establishing sub-municipal bodies that

²⁷ *Ibid*, p. 65.

²⁸ *Ibid*, p. 66.

²⁹ *Ibid*, p. 59.

³⁰ *Ibid*, p. 54.

³¹ *Ibid*, p. 59.

³² *Ibid*, p. 67.

³³ Dierwechter and Coffey, “Assessing the effects of neighborhood councils on urban policy and development,” p. 472.

³⁴ Council of Europe, Recommendation Rec (2001) 19 of the Committee of Ministers to member states on the participation of citizens in local public life, adopted by the Committee of Ministers on 6 December 2001 at the 776th meeting of the Ministers’ Deputies (Strasbourg: Council of Europe, 2001), Appendix II, A. 7i-iv.

may be elected or made up of appointed representatives, may be given advisory and information roles and may be delegated some executive powers. Moreover, administrative offices should be set up at the sub-municipal level to facilitate the contact between citizens and local authorities.

The principle of subsidiarity is promoted through the recommendation that local authorities adopt integrated approaches to public service organization and provision, centered on the willingness to listen to citizens' needs, as well as encourage local residents to engage –either directly or through neighborhood associations– “in the design and implementation of projects which have a direct bearing on their environment, such as the creation and maintenance of green areas and playgrounds, the fight against crime, the introduction of support/self-help facilities (childcare, care for the elderly, etc.).”³⁵

Inevitably, different expectations of neighborhood governance are contingent on the purpose they are designed for. Dierwechter and Coffey (2010), who study US neighborhood councils, see them as potentially transformative spaces: In their ideal form, neighborhood-level institutions should be able to balance top-down technical planning with bottom-up local learning; they should be building social capital and local political efficacy and trust, and challenge and disrupt ‘elite-regime’ governance and growth agendas (especially prevalent in urban US contexts in the form of real estate development). The authors note that only a few systems will be able to transform the urban development agenda in this way.³⁶ While their framework suggests that the more transformative the agenda of a neighborhood council is, the more political tensions they experience with the local authority, others do not necessarily see merit in tension. On the case of Los Angeles neighborhood councils, Kathi and Cooper (2005), for example, point to the capacity of neighborhood institutions to cooperate with city government in deliberative processes that ultimately lead to more informed service delivery decisions, which corresponds to the “partnership” rationale in Lowndes and Sullivan (2008).

2.3. Common Challenges to Sub-Municipal Governance

Despite diversity of purpose, there are number of common issues that neighborhood-level institutions seem to face. A key concern is their legitimacy – or the “extent to which an organization justly and properly speaks for and acts on

³⁵ *Ibid.*

³⁶ *Ibid*, pp. 474-475.

behalf of the neighborhood it takes as its constituency.”³⁷ Provided in the first place that representatives do constitute them, institutions may not be representative of all residents, and there may be a relatively small number of participants engaging with them.³⁸

In his research, Chaskin (2003) identifies the nature and level of citizen participation as one of the key factors that are seen to most commonly contribute to legitimacy.³⁹ However, what participation should look like isn’t always clear: Many authors, have, in fact, written about the suitability of different participatory mechanisms as dependent on the aim of the exercise and contextual variables.⁴⁰ Chaskin recommends the establishment of an effective process relying on active, inclusive, reciprocal, accessible, regular communication and outreach between the neighborhood-level institution and the community. Moreover, successful processes rest on the identification of “manageable objectives” that will keep people involved, with short-term projects that build on small successes, the clear identification of the roles of residents and opportunities for learning in community work.⁴¹

Another important factor that is seen to contribute to legitimacy is the engagement of diverse stakeholders.⁴² Diversity may entail bringing together representatives of different groups of what are deemed to be relevant stakeholders to participate in decision-making processes (e.g. through formal membership), thus ensuring “descriptive representation” of different groups.⁴³ Another approach may be to create several structures and opportunities through which different sub-communities of a neighborhood may participate.⁴⁴

According to Chaskin, legitimacy is also a result of concrete action. In other words, a track record of accomplishment, coupled with the ability to mobilize the community, is important for acceptance by the community.⁴⁵

The accountability of neighborhood units –or “the extent to which organizations that speak for or act on behalf of a community are fulfilling their stated goals and can be held responsible for their actions”⁴⁶ –is also deemed crucial. Accountability

³⁷ Chaskin, “Fostering Neighborhood Democracy,” p. 178.

³⁸ *Ibid*, pp. 174-175.

³⁹ *Ibid*, p. 178.

⁴⁰ See, for example, Gene Rowe and Lynn J. Frewer, “Public Participation Methods: A Framework for Evaluation,” *Science, Technology, & Human Values* 25, no. 1 (2000).

⁴¹ Chaskin, “Fostering Neighborhood Democracy,” p. 179.

⁴² *Ibid*, p. 178.

⁴³ Pitkin (1967) in *Ibid*, p. 180.

⁴⁴ *Ibid*.

⁴⁵ *Ibid*, p. 182.

⁴⁶ *Ibid*.

is both between the neighborhood-based institution and its 'sponsors' (the government), and between the institution and its local constituency. The latter may prove a special challenge, as community ownership of neighborhood units evokes trust and may make residents more willing to provide own resources; in the absence of such ownership, residents may feel alienated from these institutions.⁴⁷ Except for elections for those neighborhood-based institutions that have them, there are no firm mechanisms to ensure accountability to broad-based citizenry.⁴⁸

Authors also warn of the possibility that neighborhood councils may benefit from the "side-payments" of local elites, and thus be usefully "segmented" from the core power structure through participation, coordination and legitimization functions; i.e., they may not engage in progressive and transformative activities, but rather lapse "into the hands of a self-selected knot of local prominenti."⁴⁹ In their own research of neighborhood councils, Dierwechter and Coffey (2010) find that councils were often seen as "local power structures" limited to a number of people, closed systems that "run the risk of being perceived as self-interest groups rather than public-interest groups," endangering the relationship with their constituents.⁵⁰

Another issue commonly discussed in reference to their effectiveness is the territorial size of neighborhood institutions.⁵¹ Smaller units are seen to be more conducive to citizen participation, and decentralization of municipal authority to neighborhoods is also seen to result in more effective governance. However, some authors also stress the possibility that decentralization may increase socio-spatial inequalities.⁵² Lowndes and Sullivan (2008) question the democracy and capacity trade-off: The traditional notion that small-scale governance entails citizen engagement and responsiveness, while larger-scale governance means efficiency and equity is changed, the authors argue, by multi-level, multi-actor and "e-enabled" governance that inevitably plays a role in the way "smaller" institutions are governed.⁵³ However, there may be another negative implication of size: "The smaller and more homogenous the unit of governance, the easier it is for elites to dominate, and the harder it is for diverging views to be expressed

⁴⁷ *Ibid*, p.183.

⁴⁸ *Ibid*, p.185.

⁴⁹ Knox (1984, p. 76), quoted in Dierwechter and Coffey, "Assessing the effects of neighborhood councils on urban policy and development," p. 474.

⁵⁰ *Ibid*, p. 484, 486.

⁵¹ Authors, such as Bäck et al. (2005), make a distinction between the different types of sub-municipal governance depending on their size and competences. For example, urban district councils are usually determined by their autonomy within a larger area, competences for a number of services, and a political decision-making body directly elected by citizens, among others. Henry Bäck et al., *Urban Political Decentralisation: Six Scandinavian Cities* (Wiesbaden: VS Verlag, 2005).

⁵² Horak and Blokland, "Neighborhoods and Civic Practice," pp. 262-263.

⁵³ Lowndes and Sullivan, "How low can you go," p. 54.

and accommodated.”⁵⁴ In fact, neighborhood decentralization experiments in multi-ethnic areas, as in the case of London, provide evidence of marginalization of minorities. Larger units, on the other hand, may give minority groups greater opportunity to articulate and protect interests and identities, while local politicians may have greater incentives to understand and respond to them.⁵⁵

A related challenge to the functioning of neighborhood-level institutions, which may or may not be contingent on territorial size, is their organizational capacity and resources. Engaging citizens inevitably demands tools, training and other means of support that not all organizations may have access to.⁵⁶ In his research of neighborhood governance in three US cities, Chaskin (2003) finds that organizations with superior capacity –employees, resources, sophistication of work, and networks– also have greater influence and are able to mobilize more support for their agendas. Resources are significant both in terms of supporting core operational functions, but also in terms of outreach activities, capacity building and participatory processes.⁵⁷

Resource allocation is significant in the context of legitimacy and accountability, but also in relation to the very purpose of these local institutions. How should local governments allocate funds and can there be an expectation of redistribution occurring to tackle inequality between different localities? There is a general verdict by urban political economists that broader political structures enfold and may undermine redistributive aims of neighborhood intervention and mobilization, given the power of municipalities and the tendency of local politicians to marginalize redistributive efforts of neighborhood associations and try to co-opt them into local politics centering on issues such as property development.⁵⁸ As Corry and Stoker (2002) find, the essential challenge “is whether a commitment to localism is compatible with a desire to equalize out opportunity and redistribute income and wealth.”⁵⁹ Chaskin (2003) anticipates a possible tradeoff in resource allocation: limited resources inevitably raise the question of whether monies should be expended on providing local services, or on organizing participatory processes.⁶⁰ As Lowndes and Sullivan (2008) find, opportunities should be created for neighborhood units to mobilize additional resources apart from scarce budgetary allocations.⁶¹

⁵⁴ *Ibid*, p. 69.

⁵⁵ *Ibid*.

⁵⁶ Chaskin, “Fostering Neighborhood Democracy,” p. 175.

⁵⁷ *Ibid*, p. 176.

⁵⁸ Horak and Blokland, “Neighborhoods and Civic Practice,” p. 263.

⁵⁹ Quoted in Lowndes and Sullivan, “How low can you go,” p. 70.

⁶⁰ Chaskin, “Fostering Neighborhood Democracy,” p. 176.

⁶¹ Lowndes and Sullivan, “How low can you go,” p. 70.

In relation to resource allocation, there is also the question of how to guarantee that funds assigned to neighborhood institutions will be spent on the real needs of the communities –as opposed to the needs of those more skilled in obtaining them– which, again, relates back to the question of accountability and to the need to establish adequate procedures, including the possibility of residents to participate in decisions on funds allocation.⁶²

Literature on neighborhood-level governance is thus generally not prescriptive of special forms or shapes that such institutions may take. How they correspond to their primary purpose, how much legitimacy they draw from their work, whether or not they are accountable for their actions and spending to the local governments and to residents appears to be most commonly scrutinized. As Chaskin notes, “more than a particular organizational structure or a particular, formally acknowledged set of roles, the success of mechanisms for fostering neighborhood-based decision making and action is dependent on the structuring of relationships and the ongoing negotiation of connections, responsibilities, expectations, and lines of accountability among them.”⁶³ Thus, in correspondence with the contemporary notion of governance, how well such institutions act in a constellation of actors and processes will inevitably also speak for their relevance in the community.

⁶² Dierwechter and Coffey, “Assessing the effects of neighborhood councils on urban policy and development.”

⁶³ *Ibid*, p. 177.

3.

Mjesne zajednice Then and Now: A Regional Perspective

Due to their common historical legacy of local communities, the similar civic traditions and local government systems, in this section, we reflect primarily on the institutional design of sub-municipal governments and their functioning in practice in the countries of former Yugoslavia. The first part of the section elaborates on the Yugoslav experience, seeking to describe the purpose and the design of LCs in the Socialist period. It then addresses the present day set-up of LCs in the countries. While taking into account differences in development and stages of local government reforms in the different countries, such a comparative perspective is useful because it may offer an understanding of how local communities in the region have developed over the years, and what challenges they may face at present. Such a perspective may also point to trends, development directions and lessons learnt, and can thus be relevant to consider in the BiH context. With that in mind, it is important to note that this section draws on available legislation and very limited secondary sources, only a few of them rooted in empirical research; thus, it cannot provide us with a full insight of sub-municipal practices, and may exclude innovative examples of how local communities have been redefined over the years.

In former Yugoslavia, local communities were territorially-defined venues for *community self-government* that local residents could make use of in order to participate in local affairs, including communal affairs, housing, infrastructure, and consumer protection. So-called *people's liberation committees* or *boards* in the 1940s (renamed into *people's committees* after World War II) were the predecessors of the local community, having been reorganized into local committees (and some into local government units or communes) after 1952.⁶⁴ The Yugoslav Constitution of 1963 established the *mjesna zajednica* or local community.⁶⁵ Local communities were facultative institutions until 1974, when the

⁶⁴ See Eugen Pusic, "Intentions and Realities: Local Government in Yugoslavia," *Public Administration* 53, no. 2 (1975), pp. 133-134. According to Pusic, there was a distinction between smaller local people's committees and larger people's committee of the city, district, region or province from 1945 to 1952.

⁶⁵ According to Božić and Jogan (1974), before the adoption of the 1963 Constitution, local communities in Croatia were known as residential communities (*stambene zajednice*), which were formed in cities, and local committees or boards (*mjesni odbori*), formed in villages. In Vojko Rešetar, "Istraživanje mjesne samouprave i neposrednog sudjelovanja građana u javnim poslovima na mjesnoj razini" [Research on Communal Self-Government and Direct Citizen Participation in Public Affairs at the Communal Level], *Hrvatska i komparativna javna uprava* 11, no. 1 (2001), p. 73.

new Yugoslav Constitution introduced them as an obligatory form of communal self-government.⁶⁶

Local communities had the status of a legal entity; they had financial autonomy (e.g. could have own sources of revenue), but were also financed from the municipal budget or citizen contributions, could own property, had premises and staff. They were made up of the LC assembly as their representative body, and the LC council as their executive body. Half of the delegates in the LC assembly were directly elected by citizens, while the other half were appointed by employees in public companies and by citizen associations. LCs could also establish other bodies, such as the peace council, used for the mediation of local conflicts, or the consumer and service user council.⁶⁷ Modes of citizen participation were referendums, citizen meetings, but also LCs' participation in the local communities' assembly, which constituted a part of the local government assembly.⁶⁸

The development of LCs has to be understood in the context of local government reforms at the time. As Pusic (1975) explains, the continuous increase in local government size (coupled with a decrease in the number of units), rested on the "desire to build a firm groundwork for local autonomy"⁶⁹ and –on more practical grounds– the assumption that larger units would generate more own-source income.⁷⁰ At the same time, LCs had actually been "conceived as forms of direct popular association, not local government, and not having their own budget or professional administration." They had initially been established "more or less as political field offices of the commune council," supported by voters' meetings that played a crucial role in the selection of local councilors or in initiating decisions in local government councils. However, with the increase in commune size, it became indispensable to increase LC powers, including revenue-raising ones.⁷¹ In other words, it appeared that LCs had, in fact, been assigned a function of political representation, only to expand in function by taking on certain local tasks as local government competences grew.

Socialist-era LCs are now perceived as having been an important part of the local decision-making processes, as well as planning and implementation of local

⁶⁶ Hrženjak (1993) in Rešetar, "Research on Communal Self-Government," p. 73.

⁶⁷ Shandana Khan Mohmand and Snezana Mistic Mihajlovic, *Connecting Citizens to the State: Informal Local Governance Institutions in the Western Balkans - Work in Progress Paper* (IDS and SDC, 2013), p. 11.

⁶⁸ *Ibid*, pp. 11-12.

⁶⁹ The 1963 Constitution had proclaimed self-management a citizen right. Pusic, "Intentions and Realities," p. 136.

⁷⁰ *Ibid*, p. 135.

⁷¹ *Ibid*, pp. 135-138.

infrastructure projects.⁷² Although their role as an arena of citizen engagement in the former Yugoslavia during the 1960s and 1970s is nowadays taken for granted, some authors of the time have chronicled problems of functioning of LCs: Although they had the position of a “basic unit of the organization of self-management,” they could not independently manage public funds and their council and president only had administrative functions.⁷³ Moreover, an overall decline of citizen participation in LCs and municipalities at that time was indicative of, *inter alia*, a general lack of citizen impact on decision-making processes, as well as concentration of power in the hands of local elites.⁷⁴ In many ways, this more realistic picture of the functioning of LCs is reminiscent of some of the problems they continue to face today.

Following the breakup of former Yugoslavia, every country followed its own path of reform with respect to local and sub-municipal governance. In the 1990s, countries mostly experienced centralization and underwent state-building efforts, followed by a wave of decentralization in the late 1990s and early 2000s as a result of international obligations to the EU and the Council of Europe.⁷⁵ Reforms unavoidably left traces on the functioning of LCs –in many cases, their jurisdictions were weakened and their property transferred to municipalities.⁷⁶

Despite these turbulent changes to the institution of the LC, it appears that countries of former Yugoslavia still recognize the merits of having sub-municipal bodies. The extent to which they do so, however, differs. Table 3.1. provides an overview of how sub-municipal units are instituted today in the countries of former Yugoslavia, excluding BiH.

⁷² See: UNDP, *Better Local Governance in Bosnia and Herzegovina - National Human Development Report 2005* (Sarajevo: UNDP, 2005), p. 65.

⁷³ Gene S. Leonardson and Dimitar Mirčev, “A Structure for Participatory Democracy in the Local Community: The Yugoslav Constitution of 1974,” *Comparative Politics* 11, no. 2 (1979), pp. 190-191.

⁷⁴ *Ibid*, pp. 193-194. Research conducted in the late 1950s shows that party membership in the people’s committees (later to become local committees and communes) was between 50% and 60% at a time when only 7.5% of the adult population had party membership. Pusic, “Intentions and Realities,” p. 150.

⁷⁵ Khan Mohmand and Misis Mihajlovic, *Connecting Citizens to the State*, p. 12; Also see Tatjana Pavlovic Krizanic, “Rural Governance in Serbia: Charting a Sustainable Future,” in *Mind Your Own Business! Community Governance in Rural Municipalities*, ed. Gábor Péteri (Budapest: OSI/LGI, 2008), p. 138.

⁷⁶ See *Ibid*; Khan Mohmand and Misis Mihajlovic, *Connecting Citizens to the State*; Joanne Adams, *Assessment of Intra-Municipal Relations and the Role of Neighborhood Self Government* (Skopje: OSCE Spillover Monitor Mission to Skopje, 2004); Miro Haček and Anja Grabner, “Local Sub-Decentralization and Sub-Municipal Divisions in Slovenia,” *Croatian and Comparative Public Administration* 13, no. 1 (2013), p. 214; Ivan Koprić, “Stanje lokalne samouprave u Hrvatskoj” [The State of Local Self-Government in Croatia], *Hrvatska javna uprava* 10, no. 3 (2010), p. 666; Gábor Péteri, “Introduction: Mind Your Own Business!” in *Mind Your Own Business! Community Governance in Rural Municipalities*, ed. Gábor Péteri (Budapest: OSI/LGI, 2008), p. 12.

Table 3.1. Overview of sub-municipal governance in countries of former Yugoslavia today⁷⁷

Country	Form / Status	Purpose	Elections	Functions	Bodies	Finance	Participation
<i>Croatia</i>	Local boards, quarters (optional). Legal entities. Established by LG statute. Citizens and citizen associations, other bodies by statute may propose establishment.	Form of direct citizen participation in local affairs of relevance for citizens.	Council members directly elected by secret ballot, election procedure equivalent to LG council elections.	Determined by LG statute. Council adopts program, rules, financial plan and report. LG tasks can be delegated by statute, financed by LG budget.	Council and council president	Determined by LG statute.	Citizen assembly to discuss needs, interests of citizens, give proposals on relevant LC issues, provide LG with advice. Called for part of LC. Referenda can be proposed by majority of local board councils in LG.
<i>Kosovo</i>	Villages, settlements, urban quarters by law. Details to be regulated by statute.	Not specified by law.	To be regulated by statute.	LGs can agree with sub-municipal units to provide services closer to residents, in line with instructions of competent Ministry, and together with commensurate finances. LG statute to regulate tasks.	Not specified by law.	To be determined by LG statute.	Not defined by law, regulated by local acts.
<i>Macedonia</i>	Urban communities in cities, LCs in other settlements. Not obligatory. Not a legal entity.	Bodies represent citizen interests	Regulated by LG statute.	Providing proposals, initiatives. Mayor may delegate tasks to LC in line with statute, for which funds to be determined.	Council, president	Determined by sectoral laws.	Citizen assembly
<i>Montenegro</i>	LC mandatory, established by citizen initiative at assembly. Exceptionally by LG assembly, when needed. Legal entity.	To fulfill needs and interests of local residents.	Prescribed by LG decision. Citizen assembly decision initiates elections, appoints committee. Public or secret vote at assembly.	Citizens decide on needs/ interests in communal affairs, housing, consumer protection, culture, sports, etc.	Council, oversight board	Determined by LG decision; municipal revenue transferred to LC, resident contribution, service fees, donations, gifts, etc. May own property.	Citizen assembly, LC referendum, other forms in line with LG statute and decision
<i>Serbia</i>	LCs and other forms allowed (quarter, district, zone, etc). Legal entity. Established by LG assembly with opinion of residents. Obligatory in villages.	To meet general, common, daily needs and interests of residents.	Determined by municipal statute.	Prescribed by LC acts. Delegation of LG tasks allowed, with necessary financial means. LG administrative work can be organized in LCs	Council, oversight board	Means designated by decision on LG budget, including citizen contribution, donations, income realized by LC activity.	Citizen assembly, citizen initiatives, referenda, other.
<i>Slovenia</i>	Local, village, district communities. LG assembly probes citizen interest at meeting or referendum. Initiatives on formation may stem from assembly or residents. Facultative Legal status depends on municipality.	LG statute defines independent tasks and financing.	Determined by law. Citizens elect council.	Performs functions vital to residents, granted by LG statute. Assigned duties may pertain to local services, roads and public areas maintenance, local property management, Promotion of cultural, social activities.	Council, president	If legal status, LG budget, voluntary and own contribution, service fees, income from property. If not, LG statute determines budgetary funds for performance of tasks.	Realized through general meetings of residents of municipality, referenda, and citizen initiatives.

⁷⁷ "Zakon o lokalnoj i područnoj (regionalnoj) samoupravi" [Law on Local and Regional Self-Government], *Official Gazette of Republic of the Croatia* 33/01, 60/01, 129/05, 109/07, 125/08, 36/09, 36/09, 150/11, 144/12 and 19/13, Articles 22, 24, and 57-66; "Zakon o lokalnoj samoupravi" [Law on Local Self-Government] *Official Gazette of the Republic of Serbia* 129/07, Articles 8, 72-77; "Zakon o lokalni samoupravi" [Local Self-Government Act], *Official Gazette of the Republic of Slovenia* 100/05 (and unofficial, integral version, 2010), Articles 18-19; Haček and Grabner, "Local Sub-Decentralization and Sub-Municipal Divisions in Slovenia;" "Zakon za lokalnata samouprava" [Law on Local Self-Government], *Official Gazette of the Republic of Macedonia* 5/02, Articles 82-86; Adams, *Assessment of Intra-Municipal Relations and the Role of Neighborhood Self Government*; "Zakon o lokalnoj samoupravi" [Law on Local Self-Government], *Official Gazette of the Republic of Montenegro* 42/03, 28/04, 75/05, 13/06 and *Official Gazette of Montenegro* 88/09, 03/10 and 38/12, Articles 95-98e and 102-104; Assembly of the Republic of Kosovo, "Law on Local Self-Government," Law Nr. 03/L-040, 2008, Articles 4, 34; Robert D. Ebel and Gábor Péteri, eds., *The Kosovo Decentralization Briefing Book* (Pristina/Budapest: Kosovo Foundation for Open Society and Local Government and Public Service Reform Initiative, 2007), p. 22.

As can be seen from Table 3.1, countries analyzed regulate the status of sub-municipal units differently: in some instances, these institutions are mandatory, as in Montenegro and in rural areas of Serbia, while in others, they are optional, as in Slovenia, Croatia or Macedonia. The status of a legal person granted to them by law in Croatia, Serbia or Montenegro, may moreover imply that these units may have substantial autonomy of operations, as they are able to open bank accounts and handle own affairs. In Slovenia, on the other hand, the law foresees a rather strong formal control over sub-municipal units –the municipal statute may, for example, prescribe that individual decisions of the community council are valid only if the local government council approves them. Moreover, for communities that are legal entities, their legal operations may be annulled if they take place without prior consent of the mayor.⁷⁸

In regard to operations, self-government laws in all countries leave it up to the local governments to regulate important aspects of sub-municipal functioning, including the constitution of organs, tasks and finance. This may allow for variety in form and function of communal self-governments in these countries, which depends on the local context, but may also result in key aspects of their work being left unregulated. Depending on the local government, local acts in some countries –such as in Montenegro and Croatia– for example, prescribe that a certain percentage of the municipal revenue to be granted to finance the work of sub-municipal units;⁷⁹ in other contexts, financing may be more ambiguous. It is particularly interesting to note the difference in elections for organs: In some countries, as in Croatia, elections are to be the equivalent of local government ones by law; in others, as in Montenegro, it is left up to individual LCs to initiate elections and appoint election committees. If such elections are not regulated by

⁷⁸ “Local Self Government Act,” Republic of Slovenia, Articles 19a, 19c.

⁷⁹ For example, an decision of the municipality of Bijelo Polje in Montenegro prescribes that a part of the revenue realized on LC territory is granted to the LC from the municipal budget, on the basis of property tax collected from citizens in the amount of 100% and concession fees for the use of natural resources on LC territory in the amount of 50% of what that the municipality collects; in addition, separate funding is allocated for capital investments on LC territory. Municipality of Bijelo Polje, “Odluka o mjesnim zajednicama” [Decision on Local Communities], *Official Gazette of Montenegro – municipal acts* 5/03, Article 64; A decision of the City of Zagreb prescribes that 5% of the city’s budget is to finance sub-municipal bodies and foresees criteria for their allocation. The majority of funds is to cover so-called “small communal actions.” “Odluka o financiranju mjesne samouprave u Gradu Zagrebu” [Decision on Financing of Communal Self-Government in the City of Zagreb], *Official Gazette of the City of Zagreb* 2/01, 16/02, 18/02, 19/03, 18/04, 16/08 and 17/09.

local acts, questions of regularity of elections may arise, as has been recognized in Montenegro in practice.⁸⁰

As for their purpose, in most countries, sub-municipal units are established with the declarative aim of meeting or representing citizen needs and interest. However, laws generally do not specify how this is to be done. The Croatian self-government law explicitly defines local boards as forms of direct citizen participation, although they are, according to Rešetar (2011), *de facto* an indirect form of participation that is based on representation.⁸¹ The law does envisage an advisory role for local board citizen assemblies. In Montenegro, they appear to be, at least *de jure*, envisaged as autonomous communal self-governments, established by citizens; in most others, although citizens are usually consulted, the local government decides on their establishment and functions.

Most laws also foresee the possibility for local governments to delegate certain tasks from their jurisdiction to the sub-municipal unit, with commensurate financial resources to perform them. The possibility of decentralized delivery of particular services is more pronounced in the legal framework of some countries, such as Slovenia, than in others. A general glimpse at the legal framework suggests that sub-municipal decentralization of tasks is not necessarily the primary purpose of these bodies, but rather the representation of citizen interest.

Findings of empirical research on sub-municipal units in the region are very difficult to generalize and synthesize because comprehensive comparative studies, even single-country empirical studies on important aspects of the functioning of these bodies, have not been done. Thus, this overview doesn't pretend to be all encompassing, it clearly cannot generalize for all countries mentioned, and cannot account for the differences in functioning of sub-municipal units in the different contexts. Nevertheless, some broad common issues that sub-municipal units face may be identified.

One issue pertains to establishment. In their review of sub-municipal governance in Croatia, BiH, Macedonia and Serbia that focuses on formal and informal institutions, Khan Mohmand and Misic Mihajlovic (2013) stress that local governments do not face legal sanctions if they do not establish local

⁸⁰ In fact, the Union of Municipalities of Montenegro recently submitted an initiative to the Parliament of Montenegro in relation to the drafting of new election legislation, where they pointed out that the establishment and work of organs that would be in charge of running LC elections are not prescribed by current acts and should be prescribed by higher-level legislation. According to the initiative, "elections in the local community represent sheer improvisation without any institutional protection, which cannot be prescribed by local acts." Union of Municipalities of Montenegro, "Inicijativa za uređenje pitanja načina i postupka izbora organa u mjesnoj zajednici" [Initiative for Regulating the Issue of the Manner and Procedure of Election of Organs in the Local Community], (Podgorica: Union of Municipalities of Montenegro, 2014).

⁸¹ Rešetar, "Research on Communal Self-Government," p. 76.

communities or engage in meaningful relations with them.⁸² 2012 research on local government transparency by Croatia's NGO GONG finds that although 97% of local governments define the establishment of communal self-government in their statutes, only 60% had constituted local boards –84% of towns and 49% of municipalities. Moreover, only 65% had held local board elections in the past four years,⁸³ meaning that the organs of sub-municipal units had not been constituted despite their formal establishment. According to research by Šarenac (2012), although all but one municipality had established communal self-governments in Montenegro, the establishment of the majority had not been initiated by citizens as primarily envisaged by the law, but rather by the local government. This may signal little interest on the part of citizens in communal self-governance.⁸⁴

Many authors report that sub-municipal units in practice may do not serve as genuine venues for citizen engagement. For example, a survey conducted in 2006 in Serbia shows that 78% of respondents were not involved in any activity organized by the local community.⁸⁵ In Montenegro, an assessment of local self-governance conducted by the Government of Montenegro describes LCs as only nominally a venue for citizen participation.⁸⁶ Some authors relate low citizen participation to problems of accountability of local communities to local residents and to political party influence in these bodies.⁸⁷

Numerous authors also stress that the locality and size of sub-municipal bodies matters when it comes to their relevance for the community. For example, according to Pavlovic Krizanic (2008), despite turbulent reforms to local governance in the 1990s and 2000s in Serbia, the rural LC has remained an important way of bringing local government closer to residents.⁸⁸ According to a survey from Macedonia, there was a “huge disparity” in the ways that urban and

⁸² Khan Mohmand and Misić Mihajlović, *Connecting Citizens to the State*, p. 17.

⁸³ Nives Miošić, *LOTUS 2011/12: Nalazi istraživanja o transparentnosti i otvorenosti rada jedinica lokalne i regionalne samouprave u Republici Hrvatskoj* [Lotus 2011/12: Findings of Research on Transparency and Openness of Work of Local and Regional Self-Government Units in the Republic of Croatia], (Zagreb: Gong, 2012), pp. 43-44.

⁸⁴ Ranka Šarenac, “Citizen Participation in Public Decision-making: How Subnational Governments Can Support Citizen Engagement and Institutionalize Participatory Practices in Montenegro,” in *Citizen Participation in South Eastern Europe*, ed. Vivien Lowndes (Budapest: Open Society Foundations, 2012), p. 128.

⁸⁵ See Pavlovic Krizanic, “Rural Governance in Serbia,” p. 144.

⁸⁶ Ministry of the Interior of the Government of Montenegro, *Analiza o funkcionisanju lokalne samouprave u Crnoj Gori* [Analysis of the Functioning of Local Self-Government in Montenegro], (Podgorica: Government of Montenegro, 2012), p. 80.

⁸⁷ For example, see Pavlovic Krizanic, “Rural Governance in Serbia;” Khan Mohmand and Misić Mihajlović, *Connecting Citizens to the State*, p. 13; Šarenac, “Citizen Participation in Public Decision-making,” p. 128.

⁸⁸ Pavlovic Krizanic, “Rural Governance in Serbia,” p. 138.

rural citizens relate to communal self-government,⁸⁹ due in part to the fact that there were more neighborhood-based units established in rural areas.⁹⁰ Moreover, participation rates were twice as high in rural than in urban areas. Rural residents had more trust in their LC and the president, and rated higher the performance of their LC than in urban areas.⁹¹ Others also stress disparities in local communities' size and how they may influence their effectiveness and legitimacy. In many cases, they are seen as too large to accommodate the interests of a given locality or for citizens to engage through them, at least with the capacities they presently have.⁹² In Slovenia, for example, the number of residents in a sub-municipal unit ranges between 9 and 34,340, while there were between 2 and 29 units per municipality.⁹³

Sub-municipal units in many instances appear to face different institutional and financial obstacles to their functioning. For example, different studies point out that services that LCs provide in many places are usually not formally delegated, but delivered on a voluntary basis or thanks to voluntary citizen contributions. Mohmand Khan and Misić Mihajlović (2013) find that the potential of these institutions to deliver services will be restricted until such tasks are formally recognized in the municipal budget.⁹⁴ Accounts of overall weak financial support to sub-municipal bodies and the unclear delineation of their tasks are reiterated in other studies as well.⁹⁵

In conclusion, the regional perspective shows that local communities as units of self-government under Yugoslavia have changed significantly: Nowadays, in most countries, local governments are left with significant discretion to prescribe their design and functions by local acts, while higher-level government policies regulate these institutions only marginally. At the same time, it is difficult to identify policies on local communities in these countries that envisage a specific role for these units in the political and economic life of local communities, as is the case in other countries (e.g. neighborhood renewal and development, citizen empowerment, better targeting of services, etc.). In fact, it appears that these bodies have largely inherited the "political field office" model from the former

⁸⁹ Adams, *Assessment of Intra-Municipal Relations and the Role of Neighborhood Self Government*, p. 16.

⁹⁰ *Ibid*, p. 10.

⁹¹ *Ibid*, p. 12.

⁹² For example, see Kahn Mohmand and Misić Mihajlović, *Connecting Citizens to the State*, p. 18.

⁹³ Haček and Grabner, "Local Sub-Decentralization and Sub-Municipal Divisions in Slovenia," p. 222.

⁹⁴ Khan Mohmand and Misić Mihajlović, *Connecting Citizens to the State*, pp. 21-22.

⁹⁵ Ministry of the Interior of the Government of Montenegro, *Analysis of the Functioning of Local Self-Government in Montenegro*, p. 80; Mirko Klarić, "Mjesna samouprava u Republici Hrvatskoj" [Community Self-Government in the Republic of Croatia], in *Zbornik radova veleučilišta u Šibeniku*, ed. Onesin Cvitan, year 2, no. 1-2 (2008), p. 14.

political system, albeit without the authority that was inherent to their functioning at the time.

In most countries, no comprehensive empirical research on all relevant aspects of their functioning has been done, and it is thus difficult to speak in general terms of trends with respect to the practice of sub-municipal units; however, most accounts point to serious structural obstacles faced by sub-municipal units (a lack of institutionalization and delineation of competences, a lack of finance and capacity), which may further undermine the declarative notions of representation of local residents' interests –and practically reduce their legitimacy. A lack of legitimacy is, as mentioned in the previous section, seen to result in declining citizen engagement. At the same time, case studies and citizen surveys point to positive examples of sub-municipal units meeting local community needs in some countries (typically pertaining to infrastructure), usually contingent on cooperative local governments and institutionalized LC financing. Thus, while pointing to the obstacles sub-municipal units face, most authors stress the positive contributions that the present-day LCs are making– and could be making.

Although it is difficult to draw general conclusions in the absence of comparative data on sub-municipal governance in the region, it appears that government inertia to meaningfully conceptualize the role of sub-municipal units in the present, as well as the lack of commitment to institutionalize this role, creates obstacles to their functioning in practice. This is an important lesson for BiH, considering the common take of a number of authors that LCs in BiH have largely been ignored by official decentralization policies in the past two decades.

4.

Applying Concepts of Sub-Municipal Governance to BiH

The main purpose of the research conducted was to gain insight into the practices of local community functioning in BiH, and to provide general recommendations for improving their work. Due to the lack of baseline data, the research was largely exploratory, without the aim of testing predefined assumptions, hypothesizing potential factors that may influence LC work, or suggesting a theoretical model that may be applicable to BiH. Nevertheless, concepts from international literature on the purposes and principles of sub-municipal governance, as well as regional experiences, are taken into account to shed light on the ways in which LCs function in BiH. Underneath, we outline key thematic areas and research questions addressed by the study.

1. **Establishment, legal status and constitution:** How are local communities established and what legal status do they enjoy in different municipalities in BiH? Are their organs constituted and in what ways (e.g. secret ballot, public vote, direct appointment)?
2. **Operations:** How do local community organs function? What decision-making procedures are in place, and how do they work in practice? Is there any oversight of their operations by local government?
3. **Resources and capacities:** How do local communities operate in terms of staff? Do they have formally employed staff? What are their sources of financing, and what facilities do they have at their disposal?
4. **Cooperation and coordination:** Do the local communities coordinate and cooperate with the local government and with other institutions (e.g. social welfare centers, schools, communal enterprises, NGOs, etc.), and in what ways?
5. **Service delivery:** What are the different services that local communities deliver? Has the local government delegated any tasks to the local communities and if so, which ones?
6. **Citizen participation venues and processes:** What mechanisms for participation are at citizens' disposal? How are they prescribed and operationalized? Are they used in practice?

The first three thematic areas essentially tackle the institutional design of LCs. This entails how they are envisaged (e.g. territorially, culturally, economically, etc.), what organs they are composed of, how they are established and how they

operate. These institutional traits are studied as they fundamentally influence how local LCs perform. The other aspects studied relate to the functions of LCs – both *de jure*, in relation to any declared purposes for which they are established, and *de facto*– what they do in practice. These functions may, among others, include service delivery, citizen participation, and coordination with local actors.

Thus, the research looks at whether or not explicit rationales for LCs in the current policies of local and higher levels of government can be identified, reflecting back upon the Lowndes and Sullivan (2008) framework or Council of Europe’s recommendation on participation, which foresee rationales such as civic engagement or decentralization in service delivery. On the other hand, if there aren’t any clearly articulated new rationales for LCs, the question is whether or not they have inherited those from the former political system, such as the rationale of political association, in accordance with Pusic (1975). This is particularly important having in mind regional experiences in relation to sub-municipal units, where their new purpose is often uncertain. In addition to identifying rationales, the aim is also to see these are manifested in practice. In that vein, it is especially important to explore the constellation of relationships LCs have, where innovative governance arrangements with local governments and other local actors –or operations under local government hierarchy and control– may be two opposing poles.

The question of legitimacy or the extent to which LCs do or do not speak for and act on behalf of its constituency is underlying to the issues of LC organ elections and their representativeness, LC activities and actions, but also in the ways in which LCs involve citizens. Similarly, accountability –or whether or not LCs can be held responsible for their work– is addressed by looking at LC-citizen interactions and LC-local government interactions, especially in the case studies (see Chapter 5 on methodology below). Given that citizen participation is stressed as a key virtue of sub-municipal governance, looking at how citizens are involved in LCs may provide us with some insight regarding the potential for, *inter alia*, improved service delivery, more equitable distribution of resources, empowerment through the improvement of civic skills and creation of “access points” or opportunity structures for citizens, as merits of engagement stressed in literature on sub-municipal governance. However, whether or not and in what ways citizens are potentially able to harness the institutional infrastructure of LCs to work towards more improving policies merits separate, in-depth research.

All aspects are studied both from the perspective of legislation and policies in place, but also the practice, relying on concepts from international literature as a reference point. This is done in order to identify potential gaps between policy and practice, any structural obstacles to LC work, as well as any particular trade-offs in practice that may be the result of political, financial or any other reasons. This is particularly important having in mind experiences from the region, where LCs in many contexts are too under-capacitated and lack the autonomy to live up to what is usually their common declarative purpose –representing citizen interest.

5.

Research Design and Methods

The research process combined a number of secondary and primary data-gathering methods. Both qualitative and quantitative information was collected on important aspects of functioning of sub-municipal units in BiH. Research techniques deployed are presented in Table 5.1., and are further elaborated below.

Table 5.1. Overview of research techniques

Research technique	Scope
Theoretical review	Review of key literature on sub-municipal governance
A comparative review	Review of policies and secondary sources on sub-municipal governance in the region of former Yugoslavia
Analysis of secondary resources	Review of secondary sources on sub-municipal governance in BiH
Analysis of legal framework	Review of laws, bylaws and local acts in BiH
Municipal-level survey	129 telephone surveys with municipal representatives
Local community-level interviews	83 semi-structured telephone interviews with LCs representatives
Interviews with experts	13 interviews with experts
In-depth case studies	12 case studies, 56 interviews
Data and information gathering	Data and information on LCs collected directly from local governments, or via their official websites and LC websites.

A review of key concepts and theoretical propositions on sub-municipal governance, as presented above, was undertaken in order to develop a conceptual framework for analysis and interpretation of research findings. A brief comparative review of laws and available secondary research on sub-municipal units in the countries of former Yugoslavia helped provide a broader contextual and historical framework for understanding the nature of their work in the region.

Moreover, analysis of secondary resources on LCs in BiH was undertaken, with all studies and data that could be accessed to date scrutinized and, where relevant, used as complementary sources of information. A detailed analysis of the current legal framework, including relevant laws and policies in the Federation of BiH (FBiH), Republika Srpska (RS) and the District of Brčko (DB), operational guidelines on LCs, available municipal and LC statutes and other relevant acts was done. This included almost all local government statutes (circa 90 percent),

and LC statutes or acts on LC functioning⁹⁶ from some 35 local governments that could be obtained.

For the purpose of understanding local community practices throughout the country, 79 local governments in FBiH, 62 local governments in the RS, and DB⁹⁷ were contacted and asked to participate in a telephone survey in order to obtain baseline data on local communities in their vicinity. The survey consisted of 20 closed and open-ended questions and reflected thematic areas and questions from the analytical framework, as outlined in Chapter 4.⁹⁸ Out of the 142 local governments contacted, 8 said they did not have LCs –1 in FBiH and 7 in the RS.⁹⁹ Besides DB, 76 local governments out of the 78 that have LCs from FBiH, and 52 out of the 55 that have LCs in the RS participated in the survey –129 in total.¹⁰⁰

Table 5.2. Number of local governments in total and encompassed by survey

	Total number of local governments	Local governments with LCs	Local governments without LCs	Covered by survey
FBiH	79	78	1	76
RS	62	55	7	52
DB	1	1	0	1
Total	142	134	8	129

⁹⁶ Municipalities in the RS usually adopt acts that regulate LC functioning; except for some cases, LCs usually do not have a statute. LCs in FBiH have own statutes (except for some few cases), but these documents are usually the same for all LCs in a given municipality. Differences tend to pertain only to the name, number of councilpersons and territorial boundaries.

⁹⁷ Cities of Sarajevo and Istočno Sarajevo were not contacted, as they are administrative units without own LCs.

⁹⁸ More specifically, it addressed: LC organs; acts regulating LC functioning, modes of LC elections and date of last elections; whether or not all LC organs have been constituted; LC employees and status; means of financing; capacity-building of LCs, if any; LC services, if any, and whether or not they were delegated by local government; coordination between LC and local government and other local actors; involvement of LCs in local decision-making processes; practices of calling citizen assemblies and public hearings; whether or not LCs should be performing other functions and what is needed to improve their functioning; examples of active LCs.

⁹⁹ These are Stolac in FBiH, and Berkovići, Istočni Drvar, Istočni Mostar, Jezero, Kostajnica, Kupres and Petrovac in the RS. All local governments without LCs in the RS were established during or following the war, many of them former LCs, and all of them with a small number of inhabitants. Moreover, Šipovo was not surveyed because the municipality formally had LCs, but they were not constituted in practice.

¹⁰⁰ Respondents were LC coordinators, where such function exists, or persons, *inter alia*, in charge of LC work.

In addition to the survey, municipal representatives were asked to send basic data and contact information on LCs in order to prepare a database on LCs in BiH.¹⁰¹ An Internet search of local government/community websites helped double-check data, find missing information or obtain additional documents. Table 5.3. presents the number of LCs per entity/district as of April 2014.

Table 5.3. Number of formally established LCs in BiH (April 2014)

Part of BiH	Number of LCs
FBIH	1451
RS	1058
BD	78
Total	2587

In order to gain a direct insight into LC practices, including their own perspective on the same issues addressed to local governments, one LC out of each of the 134 local governments with LCs on their territory was randomly chosen for a semi-structured telephone interview with their representatives. Unfortunately, 30 local governments from both entities, and DB, had to be excluded from the process due to heavy flooding in May of 2014, when the research was conducted. These areas were excluded due to the assumption that LCs were occupied with civic protection and humanitarian activities in light of the announcement of a state of emergency. Moreover, had they've been interviewed, it was assumed that their answers would have directly pertained to the functions they were performing in these extreme conditions. A further 21 municipalities were excluded as contact details of LC representatives could not be obtained through secondary sources and or direct contact with the municipality. Representatives of 83 LCs from 83 municipalities –54 from FBiH and 29 from RS– participated in the semi-structured interviews. Interviews addressed much of the same aspects as the local government survey, albeit with more open-ended questions in order to gain deeper insight into LC status, how they were organized and functioned in practice, employees, financing and capacities, potential tasks and services, if any, modes of cooperation and coordination with others, citizen participation, inclusion in local decision-making processes, and their needs.

To complement accounts from local governments and LCs and gain perspective of general trends of LC development and functioning, 13 targeted interviews were conducted with LC and local government experts, NGOs and international organizations.

Last, for a deeper insight into sub-municipal governance in individual local governments in BiH, information gathered by means of more general surveys and

¹⁰¹ Categories include contact information, what municipalities LCs belong to, population size from 2013 census, whether they are urban or rural, whether or not their organs have been constituted, and the date of the last elections.

interviews was complemented by in-depth case studies of individual LCs. The approach applied was to pick examples of what were depicted by respondents as very active LCs. Their ‘activeness’ mainly refers to the proactivity of the LC leadership in solving their community’s problems, but may also imply practices of frequent citizen engagement, coordination with local actors or the delivery of specific services. Reliance on active communities, i.e. communities with a roughly similar outcome, was chosen in order to probe potential conditions that may contribute to effective sub-municipal governance. On the other hand, the exclusion of less active LCs means that the research cannot identify causal relationships or test hypotheses.

Cases were picked based on at least two sources of information that pointed to their activity – mainly interviews with experts, surveys with local governments and secondary sources. Reliance on what are for the most part subjective assessments of activity was inevitable due to the sheer lack of information and data on LCs in general, but such an approach is not uncommon in studies on similar issues.¹⁰² Through such information, some 30 LCs were identified in the first phase of case selection. To ensure variation of conditions that LCs work in, especially the local institutional framework and means of coordination with local government, a sample was chosen that reflected variety in the modes of elections (secret ballot, public vote at assembly, secret vote at assembly, political appointment) and the level of institutionalization of LCs through different local acts. Moreover, given different needs of rural and urban LCs, a mix of rural, suburban and urban LCs was chosen. Given the extreme importance of the local government in regulating sub-municipal affairs, and given that the relationship between LCs and governments is a key aspect of the in-depth study, 12 cases from 12 different local governments were chosen. As rules regulating LCs work and mode of interaction with government depend on higher levels of government as well, seven LCs from seven different cantons in FBiH were chosen, as well as five from different parts of RS.¹⁰³ Cases chosen reflect a considerable variety in the ways that LCs are established and function, and thus provide for quite divergent institutional environments, diverse relationships between stakeholders, as well as largely different contexts. Cases are shown in Table 5.4:

¹⁰² E.g. Chaskin (2003), in his study on neighborhood-level institutions in three US cities, picks neighborhoods for which multiple interlocutors have suggested “vibrant and extensive activity” concerning neighborhood decision-making processes or best case examples, and which jointly may provide for a best general understanding of such activities in a city (“Fostering Neighborhood Democracy,” p. 164). However, we refrain from using the “best case” label because of the large sample from which cases were chosen, the lack of reliable information across municipalities, and the generally exploratory nature of the research process that does not allow for qualifications of merit where the purpose and functions of nominally comparable institutions may, in fact, be incomparable in practice.

¹⁰³ Recommendations for some LCs had to be dismissed because they had recently been flooded.

Table 5.4. Selected cases

Entity/Canton	Local government	Local community
FBiH		
- Sarajevo	Center Sarajevo	Ciglane – Gorica
- Hercegovina-Neretva	Jablanica	Doljani
- West-Hercegovina	Posušje	Podbila
- Tuzla	Tuzla	Sjenjak
- Canton 10	Drvar	Vrtoče
- Central Bosnia	Travnik	Turbe
- Una-Sana	Bužim	Konjodor
Republika Srpska		
	Prijedor	Kozaruša
	Prnjavor	Prnjavor
	Derвента	Kalenderovci Gornji
	Bratunac	Moštanice
	Trebinje	Pridvorci

Case studies focus in depth on all aspects covered in surveys and interviews (legal status, capacities, financing, mechanisms of citizen participation, functions and services, relations with municipality and other local actors, needs). For each case, semi-structured interviews were performed with representatives of the selected LCs and, in almost all cases, with representatives of the local government. Moreover, interviews were also conducted with representatives of civil society acquainted with LC functioning and service providers that the LC cooperates with, who were mainly identified through a snowball-sample strategy. Semi-structured interviews were tailored to different categories of respondents, who were especially asked to discuss their own work in relation to LCs. Speaking with representatives of different organizations and institutions in the community allowed for a more in-depth knowledge of the functioning of the LC and a triangulation of research results. Between four to six interviews were conducted for the 12 localities, with 56 interviews conducted in total. In addition to interviews, LC and local government acts were obtained from representatives of these institutions for further analysis.

Here, a caveat is necessary: Although an overall substantial number of interviews was performed, and many respondents also spoke as citizens of a given community, the research process did not include the perspectives of residents of a given LC due to objective limitations. Thus, while the research may help identify structural obstacles to LC work, as well as point to positive or negative practices, it does not offer residents' perceptions of a given locality's activity or whether or not their needs are being met. The citizen perspective is deserving of future research on LCs in BiH, as it may help shed light on important issues of accountability and legitimacy of their work.

6.

LC Functioning in BiH: An Overview of Research Results

6.1. Establishment, Legal Status and Operations

According to the FBiH local self-government law, communal self-government (*mjesna samouprava*) is to be realized through the local community, and may be realized through city quarters and other forms of community self-government.¹⁰⁴ The RS local self-government law does not mention communal self-government; rather, the LC is prescribed as one of the forms of direct citizen participation in local governance.¹⁰⁵ A special law on local communities in DB defines the LC as a “registered association that has the aim of enabling citizen participation in the work of the institutions of Brčko District of BiH,” by means of “advisory activity” on issues that pertain to the advancement of quality of life for LC residents.¹⁰⁶

Local communities are not established on the same grounds and with the same status in all parts of the country. Table 6.1. gives an overview of these differences:

¹⁰⁴ “Zakon o principima lokalne samouprave u Federaciji BiH” [Law on the Principles of Local Self-Government in Federation BiH], *Official Gazette of the Federation of BiH* 49/06, Article 24.

¹⁰⁵ “Zakon o lokalnoj samoupravi Republike Srpske” [Law on Local Self-Government in Republika Srpska], *Official Gazette of Republika Srpska* 101/04, 42/05, 118/05 and 98/13, Article 99.

¹⁰⁶ “Zakon o mjesnim zajednicama u Brčko Distriktu Bosne i Hercegovine” [Law on Local Communities in the District of Brčko of BiH], *Official Gazette of the District of Brčko of BiH* 3/03, Article 2.

Table 6.1. Establishment and status of LCs in BiH¹⁰⁷

	Unit of establishment	Procedure of establishment	Compulsory or not?	Legal status
FBiH	Established for one or more interconnected settlements, or a larger neighborhood area that represents a whole.	Mayor, municipal council, citizens and associations may propose establishment. Established by municipal council decision.	LC as mandatory, city quarters and other units as facultative forms of communal self-government.	Legal entity
RS	Established for part of settlement, or area of one or more interconnected settlements. May be founded on spatial, historical, economic or cultural grounds.	10% of citizens of locality, 1/3 municipal assembly representatives may propose establishment.	No	No legal status
DB	Territorial or functional whole with residents' interconnection based on interest or need.	To be founded, 50% of residents of locality +1 have to become its members. Established by District assembly decision.	No	Registered citizen association (legal person)

Local communities are thus to represent a single territorial unit that is formed mainly on spatial, but may also be formed, at least in the RS and in part in DB, on other grounds. It is important to note that in the RS, following 2013 amendments to the local self-government law, the establishment of LCs is now more certain than it was with the earlier version of the law. The earlier version prescribed that that the territory of a local self-government “may be divided up” into LCs if this is in line with spatial, historical, economic or cultural reason and in the interest of residents. Now it *is* to be divided up if the latter conditions are met.¹⁰⁸ However, their foundation is not compulsory in the sense that a local government has to institute LCs irrespective of interest and rationale to do so. Also, deciding on whether or not such conditions are met –which are, for the most part, very general– could still be rather arbitrary, unless operationalized by local acts.

¹⁰⁷ *Ibid*, Articles 2, 4, 9, 10; “Law on the Principles of Local Self-Government in FBiH,” Articles 24, 26, 27; “Law on Local Self-Government in the RS,” Articles 99, 106-107.

¹⁰⁸ “Law on Local Self-Government in the RS,” Article 106.

Table 6.2. shows that almost all local governments had formally established LCs by April of 2014.¹⁰⁹ In the case of Stolac in FBiH, LCs have not been established, although they should have been by the FBiH local self-government law.

Table 6.2. Formally established local communities in BiH municipalities (April 2014)¹¹⁰

	Number of local governments ¹¹¹	Local governments with LCs	Local governments without LCs	Total number of LCs
FBiH	79	78	1	1451
RS	62	55	7	1058
BD	1	1	0	78
Total	142	134	8	2587

The status of a legal entity has implications on the LC's ability to sign contracts, own property and open bank accounts. In some RS municipalities, local statutes still haven't been changed to accommodate the loss of legal status made explicit in 2013 amendments to the RS local self-government law. However, research conducted shows that they do not have legal status in practice. Our case studies and survey findings also point to differences in the status of some LCs even within the same administrative and legal framework, as in FBiH, where LCs in some municipalities may have status of a legal person by statute, but not in practice.¹¹² A loss of legal status is considered to seriously undermine LCs' ability to act.¹¹³

Local communities may be constituted differently, depending on the part of the country and the local government. In the RS, recent amendments to the self-government law prescribe that the LC organ is the council, directly elected by citizens.¹¹⁴ In FBiH, the law gives local governments discretion to individually define LC organs.¹¹⁵ In most cases, the council and president –or the council and citizen assembly (*zbor građana*)– constitute LC organs. In five municipalities in FBiH, LCs still have an assembly (*skupština*) as a formal organ, made up of elected citizen representatives, as was the case with LCs in former Yugoslavia; in these instances, the council serves as an executive arm and is usually appointed by the

¹⁰⁹ However, even if some local governments have established LCs formally, this does not mean that their organs have been constituted in practice, as will be discussed below.

¹¹⁰ These are Stolac in FBiH, and Berkovići, Istočni Drvar, Istočni Mostar, Jezero, Kostajnica, Kupres and Petrovac in the RS.

¹¹¹ Without cities of Sarajevo and Istočno Sarajevo.

¹¹² This was identified in the cases of Tuzla and Jablanica.

¹¹³ CCI BiH has continuously advocated for granting LCs in the RS the status of a legal person. For more, see "New Local Community."

¹¹⁴ "Law on Local Self-Government in the RS," Article 108.

¹¹⁵ "Law on the Principles of Local Self-Government in FBiH," Article 28.

assembly. The District of Brčko, with LCs registered as citizen associations, is a special case: Here an assembly, made up of all LC members, a steering board and a president are officially recognized organs. Local communities throughout the country are usually free to institute other bodies –either permanent or *ad hoc*. A number of local acts in both entities, for example, prescribe the establishment of the peace council as a venue for mediation between residents, or a consumer protection committee.¹¹⁶

However, it is important to note that there are cases where LC organs may not be functioning in practice. The local government survey revealed different reasons for that: In some cases, organs had been dismissed and local governments instituted commissioners to represent LCs; in others, elections hadn't been held or presidents had resigned. Some had also only formed new LCs that yet needed to be constituted. Table 6.3. provides an overview of municipal survey responses with regards to LCs that may not have constituted organs.

Table 6.3. Local governments that formally have LCs, but without constituted organs (May 2014)¹¹⁷

	Number of local governments with some or no constituted LCs	Number of LCs with un-constituted organs
FBIH	14	38
RS	10	33
Total	24	71

It appears that in practice, differences in the organs that constitute LCs do not translate into major differences in operations. For example, most of the LC representatives interviewed via telephone said that the LC council was the organ that made decisions of relevance for the local community, usually by majority vote; 26 (some 30 percent), mainly from FBiH, also mentioned that decisions were made in consultation with, or at the citizen assembly or meeting. This was usually the case with decisions with more wide-reaching consequences for the population,

¹¹⁶ E.g. Odluka o mjesnim zajednicama na području Opštine Prnjavor [Decision on Local Communities in the Municipality of Prnjavor], *Official Gazette of the Municipality of Prnjavor* 20/13, Article 15 provides councils with the option to establish certain committees in accordance with need. The same is the case in the municipality of Travnik. See Odluka o organizaciji i funkcionisanju mjesnih zajednica na području Općine Travnik [Decision on the Organization and Functioning of Local Communities in the Municipality of Travnik], *Official Gazette of the Municipality of Travnik* 8/01. For provisions on peace councils and other working committees, see, for example, LC statute, Municipality of Kreševo 2013, Articles 48-52; Statuti mjesnih zajednica, Općina Jablanica [Statutes of Local Communities, Municipality of Jablanica], *Official Gazette of the Municipality of Jablanica* 6/10, Articles 30-34.

¹¹⁷ Based on municipal survey and data local government respondents provided. This number could possibly be higher provided that for some municipalities, such data could not be verified as not all municipalities took part in the survey. It is important to note that even if organs may not be formally constituted, they may still function in practice (e.g. in the case of technical mandates).

such as defining priorities for investment or deciding on urgent matters. These modes of operation were reiterated by representatives of 12 case study LCs: It was the councils that made decisions, usually meeting regularly to assess citizen demands, and where relevant, submit them to the appropriate local institution. Four case study communities –two from RS and two from FBiH– define community priorities in consultation with citizens on an annual basis at a citizen assembly, and only one reports on its previous year’s work to a citizen assembly. One case that stood out was the Travnik LC, where the existence of the LC assembly as an LC organ means the active involvement of assembly members in decision-making processes in the LC, especially in defining priorities for financing. The council also has the obligation to report to the LC assembly on an annual basis. In Jablanica, LCs have territorial branches (*podružnice*) that meet separately and then submit conclusions of such meetings at the joint meeting of the LC council, where a final decision on a relevant local matter is made.

6.2. Elections

Local communities are generally designed as bodies that have elected representatives in the form of a council (an assembly in some FBiH municipalities and a steering board in DB). Modes of elections differ: In the RS, recently introduced instructions on LC council elections and the RS Election Law prescribe elections that are administered by municipal/city election commissions and election boards, and where residents vote by secret ballot at citizen assemblies.¹¹⁸ Candidates with the highest number of votes are elected as council members.¹¹⁹ The president is elected among council members at the LC council meeting.¹²⁰ In FBiH, local governments may establish their own election procedures by statute.¹²¹ LCs may be elected through secret ballot by citizens individually casting ballots, or by secret ballot or open vote at a citizen assembly. In some cases, there are no elections and the municipal council appoints LC representatives directly, as in the case of Tuzla. In others, LC assemblies are to proportionally reflect the political

¹¹⁸ Uputstvo o organizovanju i sprovođenju izbora za članove savjeta mjesne zajednice [Instructions on Organizing and Implementing Elections for Local Community Council Members], *Official Gazette of Republika Srpska* 122/12; and “Izborni zakon Republike Srpske” [Election Law of Republika Srpska], *Official Gazette of Republika Srpska* 34/02, 35/03, 24/04, 19/05, 24/12 and 109/12, Articles 53b-53v.

¹¹⁹ “Election Law of the RS,” Article 53v.

¹²⁰ “Law on Local Self-Government in the RS,” Article 108.

¹²¹ “Law on the Principles of Local Self-Government in FBiH,” Article 28.

party make-up of the local government council, as in the case in Tešanj.¹²² LC presidents in FBiH are either elected among council members or those with the most votes in elections automatically acquire this position. In DB, the LC assembly –made up of LC residents who have become its members– is authorized to elect and dismiss members of a steering committee and the president.¹²³ The law does not include a specific provision on election procedures, but leaves it up to LC statutes to define them.¹²⁴

In practice, it appears that many FBiH municipalities are switching to elections with secret ballot. In the RS, most municipalities are amending their statutes in line with the Electoral Law of RS and LC election rules –but many have yet to apply the new rules in practice. Table 6.4. gives a numeric overview of the practice of LC organ elections in the two entities, based on surveys with local governments.

Table 6.4. LC elections in FBiH and RS in practice (survey data as of May 2014)

	FBiH	RS
Secret ballot at assembly or regular elections	43	29
Vote at citizen assembly	10	16
Public or secret voting at citizen assembly ¹²⁵	5	2
Proportional party representation	4	-
Political appointment	1	1
Unclear response or unknown	15	6
Total	78	54

According to legislation in the RS, the municipal assembly is to schedule LC elections 90 days after its own constitution.¹²⁶ Given that the last local elections were held in 2012, this would mean that LC organs have been elected during 2013. In FBiH, elections are to be specified by municipal statutes, but they generally are to take place every four years, with some exceptions. Table 6.5. provides an overview of when the last LC elections were held in local governments.

¹²² The LC assembly is constituted based on the results of municipal council elections on the territory of one particular LC, and based on the proposal of political parties that participate in the municipal council. For more, see model statute of LCs in Tešanj, “Statut mjesne zajednice,” Općina Tešanj [Local Community Statute, Municipality of Tešanj], n.d., Article 20.

¹²³ “Law on Local Communities in the District of Brčko of BiH,” Article 16.

¹²⁴ *Ibid*, Article 13.

¹²⁵ This category pertains to cases where LCs may have the choice whether or not they want to organize public or secret voting.

¹²⁶ “Election Law of the RS,” Article 53b.

Table 6.5. Last elections held for LC organs (data as of May 2014)¹²⁷

	FBIH	RS	BD
2014	5	2	
2013	31	19	
2012	9	3	
2011	5	4	
2010	6	10	
2009	3	6	
2008 or earlier	3	5	
Elections held in different years (2009/2014) ¹²⁸	7	-	1
Elections underway	5	3	
Unknown	3	1	
Total	77	53	1

As Table 6.4. demonstrates, elections for LCs have been held since the 2012 local elections in most municipalities. In the RS, a number of municipalities have yet to hold new elections in line with the recently adopted instructions and amendments to the RS Election Law. Some respondents of the local government survey from the RS said that organizing new elections required funds to be planned in the municipal budget. Cases where elections were held long before the last municipal elections, sometimes back in 2005 or 2006, are worrying and point either to the absence of functioning organs or –where they do function– the lack of formal legitimacy of LC councilpersons to represent their community.

¹²⁷ Table excludes politically appointed organs.

¹²⁸ In most cases where elections were held in different years, they were held in two consecutive years, unless new LCs had been established, which have elections every four years depending on the year of their establishment.

INSIGHTS FROM CASE STUDIES

Case studies selected demonstrate a variety of practices when it comes to elections:

- In **Jablanica**, citizens elect representatives at citizen assemblies in LC branches by secret ballot, and those with the most votes from individual branches enter the LC council.
- In **Drvar**, the LC organized public voting at an assembly.
- In **Derventa**, there is to be a transition from public voting at a citizen assembly to what one respondent described as “real elections.”
- In **Prijedor**, secret or public voting at a citizen assembly took place, depending on the preference of LCs. As in Derventa, Prijedor LCs are to make the transition to secret ballot voting.
- **Prnjavor** and **Bratunac** had recently held elections and followed the procedures envisaged by the RS election law and LC election instructions. In Prnjavor, according to respondents, LCs had *de facto* not been active since 2000. After amendments to the RS local self-government law of 2013, a new decision regulating their work was adopted and elections were held.
- In **Posušje**, **Centar Sarajevo** and **Bužim**, the local government organized elections by secret ballot.
- In **Travnik**, the LC assembly members were elected publically at a citizen assembly, and they consequently chose an LC council.
- In **Tuzla**, elections do not exist: The municipal council directly appoints LC councils.

A majority of respondents, both LC representatives who participated in semi-structured interviews and respondents in case studies, appeared to prefer the secret ballot procedure in LC elections. On purely logistical grounds, some respondents stressed it was difficult to count hands at a citizen assembly in LCs with larger populations. Secret ballot also required candidate lists, rather than a more informal process where persons could be nominated and elected at the same gathering. As one LC representative stressed, before, elections by public vote at citizen assemblies had been “incoherent, undefined, confusing for citizens.” Numerous respondents thought that in general, secret ballot by candidate lists was more democratic and transparent. Candidate lists could potentially guarantee greater legitimacy: Multiple respondents from different municipalities spoke of abuse of the process of public vote at citizen assemblies, giving examples of small groups residents who had claimed to hold a citizen assembly, choosing LC representatives amongst each other and denying other residents the opportunity to become candidates or vote. Such abuse was possible because elections were not publically advertised and because there was a lack of independent oversight of the election process. In fact, respondents in one case study from FBiH stressed the importance of the municipality overseeing LC elections, as there had been some concerns as to whether or not election procedures had fully been respected

during the last election at citizen assemblies in terms of nomination procedures and territorial representation of candidates. However, respondents also stressed that secret ballot is more demanding logistically (establishment of election committees and boards, preparation of lists, printing of ballots), and ultimately, more costly.

Low turnout reduces the legitimacy of elected candidates to act on behalf of the community. However, case studies and semi-structured interviews with LC representatives didn't suggest a clear relationship between election procedure and turnout. Low turnout was stressed by respondents both in some vicinities where elections were run centrally, and where citizen assemblies were called. Moreover, comprehensive data that could be used to compare turnout in places where new procedures had been instituted does not exist. However, elections organized centrally appear to guarantee greater citizen awareness, as some respondents stressed, giving examples of different channels of communication used to announce elections to residents. The RS instructions also prescribe that the local government assembly has to inform citizens of the date and time of LC elections, using local government and LC notice boards, the local government website and other regular means.¹²⁹ But whether or not citizens decide to vote, as voiced by a numerous respondents, depends on their perception of the relevance of LC work.

A number of respondents voiced the concern that procedures that allowed both political parties and citizens to become candidates didn't give them equal opportunity to do so. As one civil society representative explained, in the RS, citizen associations could only nominate candidates for the particular LC where they were registered, while political parties could nominate candidates for LC councils in the entire municipality. Opportunity was also dependent on the number or percentage of signatures required to nominate a candidate, but it appears that rules in both entities usually require a reasonable number of signatures for civic candidates (usually 30 signatures, with the number of signatures increasing with the size of the population of the LC).

There was also a concern among many representatives of LCs that the explicit allowance of politics will ultimately capture LC councils because of the greater resources parties have in mobilizing voters in elections. As one LC representative put it: "Before, anyone could get elected, and it didn't matter who you were; now it is the parties putting forward their candidates." Another stressed that this created divisions in the community along party lines. Such stances were tied to a perception among respondents that parties would not represent the wider community, but rather their own particular interests.

¹²⁹ Instructions on Organizing and Implementing Elections for Local Community Council Members, Article 3.2.

Political party influence in elections indeed appeared to be present in municipalities of all case studies, but the ways in which it was mitigated depended on the election rules and their enforcement. Prescribing nomination procedures, as is the case with the new instructions in the RS and some municipalities in FBiH, meant that political party affiliation had become more transparent, which was stressed by a number of respondents. Cases showed that political parties became involved even where only “civic” nominations were allowed: According to one LC representative from an FBiH municipality, political parties were involved informally by nominating persons who were widely perceived as being party-affiliated. In some of the other cases visited, where voting took place at the citizen assembly, such meddling was also noted. In one municipality, political parties in an LC had attempted to distribute seats amongst each other without calling elections, but this had been prevented by the municipal administration.

Procedures may also influence the level of representativeness of LC organs. Currently, RS instructions prescribe that when proposing candidates on candidate lists, care should be taken of gender representation in line with the gender equality law, as well as territorial representation of the LC.¹³⁰ Such clauses are, indeed, encouraging, especially in light of frequently cited low levels of women’s participation in LCs among respondents in both entities, but also in reports on the subject.¹³¹ For example, research conducted by Mozaik on women’s representation in LC councils in both entities shows that there is a positive correlation between policies that prescribe quota for women on candidate lists and their *de facto* representation in LC councils.¹³²

In practice, cases studied demonstrated different types of representation: In Jablanica, territorial representation was guaranteed through the institution of the LC branch. Ethnic representation was also deemed important by local acts, especially in ethnically mixed communities such as the one visited, which was reflected in the local council make-up. In Drvar, gender representation was stressed as important, and a woman was elected as the LC vice-president. In Travnik, a number of respondents complained that the election rules should be more explicit about how to guarantee territorial coverage within an LC and define precisely how many representatives from each settlement or street should be represented.

However, even if procedures that mandate representativeness are in place, low interest in participating in elections also means that *de facto* representativeness

¹³⁰ *Ibid*, Article 19. An earlier version of the article had also prescribed that care should be taken that proportional ethnic representation –that of constituent peoples and Others– is ensured, but this was later deleted by 2013 changes to the instructions.

¹³¹ There are a number of initiatives by entity Gender centers and women’s NGOs that promote participation of women in LC elections and advocate for an increase in women candidates.

¹³² Fondacija Mozaik, *Učešće žena u savjetima mjesnih zajednica: Pilot istraživanje* [Participation of Women in Local Community Councils: Pilot Research] (Sarajevo: Fondacija Mozaik, 2013), p. 74.

is not necessarily achieved. For example, some LC respondents stressed that no unaffiliated candidates, only party candidates, had been put forward in candidate lists. This implies that the significance of local community elections may not be sufficiently promoted among their residents.

6.3. Municipal Oversight of LC Operations

Both entity laws essentially leave it up to local governments to regulate modes of LC operations, including their decision-making processes. These are usually regulated either by local government statutes, LC statutes, rules or decisions on LCs. According to the local self-government law in FBiH, the municipal council, in line with the municipal statute, is in charge of oversight of the work of LC organs.¹³³ Local statutes and acts regulating the work of LCs in FBiH, however, sometimes identify the municipal mayor to be in charge of oversight, which is not in line with the entity-level law.¹³⁴ In the RS, recent amendments to the law include the provision that a competent working body of the local government assembly, in line with the statute and rulebook, performs oversight over the work of the LC council.¹³⁵

Oversight usually refers to the legality of LC work, and while in some cases, the municipal council or assembly may dismiss organs of the LC if they do not perform certain duties in line with LC acts (e.g. reporting), it is generally defined in very broad terms. In general, the way that oversight is currently prescribed may leave quite a bit of discretion to local authorities to determine what an acceptable minimum of standards pertaining to LC work is. While it is important to ensure regularity of procedure and LC representatives' accountability to the community, at the same time, there is no guarantee that oversight will not interfere with the principle of autonomy of LC organs. As one local government representative interviewed as part of case study research explained, such a balance between oversight and autonomy is not carefully prescribed by local acts, yet needs to be.

¹³³ "Law on Principles of Local Self-Government in FBiH," Article 32.

¹³⁴ In Bihać, oversight is conducted on the behalf of the municipal council by the mayor ("Statut mjesne zajednice," Općina Bihać [Local Community Statute, Municipality of Bihać], n.d, Article 34); in Jablanica, both the mayor and the council are in charge of oversight according to the local government statute ("Statut Općine Jablanica" [Statute of Municipality of Jablanica], *Official Gazette of the Municipality of Jablanica* 2/09, Article 76), but only the mayor according to the local community statute (Statutes of Local Communities, Municipality of Jablanica, Article 51). The mayor is in charge of oversight in Travnik, according to a decision on LCs (Decision on the Organization and Functioning of Local Communities in the Municipality of Travnik) and the same is the case in the municipality of Tešanj (Local Community Statute, Municipality of Tešanj, Article 51).

¹³⁵ "Law on Local Self-Government in the RS," Article 109.

In our research, oversight was scrutinized in case studies. In most cases, the municipal council or assembly was in charge of oversight and the LCs had to submit their annual reports to this body. In line with the provisions of the RS local self-government law, municipal assembly committees designated to oversee LC work had been established in Prijedor and Prnjavor. Supervision of LC work mainly took place through reporting and planning processes. In almost all cases, LCs were asked to define priorities for financing or annual working plans and to submit them to the local government. In eight cases, LCs had the obligation to submit annual reports on the work they had done in the previous year. In Prnjavor, where LCs had recently been reinstated, work plans or reports were not an obligation for the LCs: The municipal department in charge of LCs worked directly with LCs to prepare minutes of council meetings, which were summarized in a report by the end of the year. In Tuzla and Centar Sarajevo, a report for the municipal council on the work of the LC council was prepared on an annual basis; the LC secretary, an employee of the local government, submitted reports to their respective department in the municipality on a more regular basis. In Jablanica, LCs had they had to send minutes of their meetings to the municipality. In Prijedor, LCs draft annual plans with priorities for financing. These are then forwarded to the relevant government department, which prepares an integral document that is used for the municipal work plan. Annual information on the work of LCs was also presented to the local assembly by the relevant LC department in the city.

In addition to reporting obligations and the existence of special assembly bodies, most municipal and LC representatives cited visits to the LCs or meetings with the mayor taking place, or *ad hoc* communication between the relevant municipal department and LCs to “check up” on LCs. One municipal representative said he asked LCs on a monthly basis what they had done the previous month. Another municipal representative was more skeptical of the ability of the local government to oversee LC work: “You cannot demand something from someone if you haven’t provided them with anything, including an office and funds,” they explained. In places where structures such as regional offices existed or an administrative secretary worked in the LC, the relevant local government department was able to follow activities in LCs on a regular basis. In a couple of municipalities, mostly in FBiH, local government respondents complained that not all LC councils actively met, and that they couldn’t force them to meet.

A couple of municipal representatives spoke of the importance of oversight of LCs’ own accountability to citizens. Information on activities performed ought to be adopted at citizen assemblies, but in fact, this appeared to be the practice in only one of the municipalities visited. In addition, it did not appear as if there were well-established policies to guide the setting of priorities on resource allocation in cooperation with citizens. Local governments didn’t have the means to verify whether or not priorities for financing that LC councils had adopted were rooted in community needs. Not surprisingly, a number of municipal representatives interviewed in these municipalities were skeptical of the ability of LC councils in their municipality to make decisions that were of common interest without

consulting citizens. The only way that they could guarantee that priorities were set with citizen input would be to mandate obligatory citizen assemblies prior to the drafting of annual priorities for financing, which was the case only in a couple of the LCs studied. Moreover, where elections were held at citizen assemblies, municipal oversight was recognized as important by a number of respondents. According to one municipal representative, such oversight was necessary “until we learn democracy and principles of election and accountability to those who voted for us.”

In cases studied, none of the LC representatives pointed towards the local government overstepping the line in terms of control and oversight functions. However, it is important to note that there is quite a stark difference in the legally provided autonomy between FBiH LCs that are a legal entity, and RS LCs that are not.¹³⁶ In other words, by the nature of their status –and consequently, the possibilities they have at their disposal– LCs’ ability to act independently of the local government is limited. This will be elaborated in more detail in the following sections.

6.4. Financing

The financing of LCs is prescribed in very general terms by relevant laws. The RS law stipulates that the local government is to determine “special funds” for financing LCs in its budget. However, it is up to the municipality to determine, by its statute, the means of financing LCs. Recent amendments list the sources of funding that may be provided to meet LC needs, namely citizen contributions, donations, presents, or the personal contribution of residents.¹³⁷ In FBiH, the law states that LCs will have income commensurate to the competences as prescribed by law and statute. Moreover, the system of financing LCs should be diverse enough and evolving in order to keep up, to the extent possible, with the changes in real costs of performing tasks under LC jurisdiction. While the promotion of the principle of fiscal decentralization in LC work is laudable, the law does not specify how such funds are to be ensured –e.g. whether a part of the local government’s budget should be designated to such ends. The only explicit obligation the local government has is to provide commensurate financial resources for the execution of competences it delegates to individual LCs.¹³⁸ Funds for the work of LCs or other forms of communal self-government are funds provided from citizen contribution, fees from services that LCs may perform,¹³⁹ presents and other funds. The LC is to

¹³⁶ As mentioned above, LCs in some FBiH municipalities also do not enjoy such a status in practice.

¹³⁷ “Law on Local Self-Government in the RS,” Article 109.

¹³⁸ “Law on the Principles of Local Self-Government in FBiH,” Article 30.

¹³⁹ Such services are not further defined in these legal provisions.

use such funds in line with its plans and programs.¹⁴⁰ Municipal statutes in FBiH usually state that the municipal council is to adopt a decision on the criteria and the amount of funding for LC work in the budget, criteria for distribution of such funds and how they are to be used. In DB, sources of possible financing include membership fees, donations and gifts, as well as the income from activities of the LCs.¹⁴¹

Secondary research to date points to a low level of fiscal autonomy of LCs, especially of those without legal status, as well as to scarce financial resources of LC.¹⁴² As remedies, authors have suggested that LC be given executive power to make decisions on the spending of a small budget to address small-scale community problems; and be given the opportunity to compete with their projects for additional resources from the municipality on a competitive basis.¹⁴³

Table 6.6. provides an overview of municipal survey responses pertaining to the types of financing LCs have.

Table 6.6. Sources of financing of LCs (municipal survey, N=129, as of May 2014)¹⁴⁴

	FBiH	RS	BD
Municipal budget	72	46	1
Own sources (contributions, rental, service fees ¹⁴⁵)	31	14	-
Donor grants or higher level grants	11	4	-
No financing	0	3	-
Unclear / no response	2	3	-

As can be seen in the table, most LCs are financed from the municipal budget. Sources of additional funding for LCs in FBiH appear to be more diverse than in the RS. Such findings are not surprising given that in the RS, operational costs that the LC may have are usually covered from the municipal budget, as LCs do not have their own bank accounts. Semi-structured interviews with representatives of LCs in both entities showed similar results: In FBiH, some 77% of the interviewed said their LCs were funded from the municipal budget, as opposed to some 40% in the RS. In fact, representatives of 9 LCs from the RS pointed to capital projects being

¹⁴⁰ *Ibid*, Article 31.

¹⁴¹ "Law on Local Communities in Brcko District of BiH," Article 24.

¹⁴² See Bajrovic and Stojanovic, "Submunicipal Government and Decentralization in BiH," p. 32, 41.

¹⁴³ See Bajrovic and Stojanovic; "Submunicipal Government and Decentralization in BiH," p. 42. See also CCI, "Report on the State of Citizen Participation in Decision-Making in BiH," p. 13.

¹⁴⁴ N = 129, 76 municipalities from FBiH, 52 from the RS. Categories do not imply exclusive sources of funding - e.g. LCs in a given municipality receiving donor grants may also be financed from municipal budget.

¹⁴⁵ May pertain, for example, to water fees that the LC, as the manager of a local water utility, may collect from local users.

financed from the municipal budget, but not their own work. Representatives of 20 LCs in both entities (12 in RS and 8 in FBiH) claimed no sources of financing for LC operations (in a few cases, council members received small compensations). Sources of funding were again, somewhat more diverse in FBiH, with 11 LC representatives mentioning other sources of income (citizen contributions, service fees, rental, donations, etc). In the RS, only a couple mentioned citizen contributions as an additional source of funding. When asked what would be necessary to improve LC work, 46 out of 83 respondents mentioned funds.

Case studies showed that LCs appear to have modest resources at their disposal to cover operational costs. Most depended on the local budget and did not have own sources of income. The local government usually covered operational costs, either by allocating funds to LCs in FBiH directly, and via the local administration in the RS. For example, in Posušje, the LC had been provided with 500 KM in four years to cover material costs. In Bužim, it received some 600 KM per year for material costs. In Travnik, material costs were covered in the amount of 150 KM per month, and the municipality also covered utilities.¹⁴⁶ Many of the LCs were not financially independent and didn't have their own bank accounts: This was the case for all of the RS LCs, but also Jablanica, Drvar and Tuzla in FBiH. As a consequence, this limits the capacity of LCs to act independently and raise funds. However, it is difficult to speak objectively of an optimal amount that LCs may need to cover operational cost, especially as it may vary depending on the functions they perform.

When it comes to actual financing of projects on the LC territory, local governments had different ways of allocating resources. In some cases, they had transparent rules of financing, with clearly defined criteria. However, in most municipalities –even ones with objective criteria in place– LCs depended on the municipal council/assembly decision for a verdict on what would be financed. When such decisions are delayed, or are made on the basis on political preferences, that can have negative impact on the trust of citizens in their LCs, as some of the interviewed LC representatives noted.

The participation of LCs, whether financial, material or through workforce, appeared to be a significant consideration for financing –and an objective criterion for a number of local governments in both entities in the cases studied. In those instances, the municipality was more likely to designate funds for the financing of certain infrastructure projects, often in the range of 50% to 70% of the cost, while the rest is to be covered by citizens. A number of LC representatives from case studies confirmed that such co-financing was taking place quite frequently.

In a number of municipalities, respondents praised LCs for being active in raising funds for different projects. For example, in Jablanica, an independent respondent

¹⁴⁶ In a couple of municipalities, such as Drvar and Prnjavor, the municipality designated small annual funds per LC to cover the cost of smaller activities.

spoke highly of the fact that the LC had requested funds from different ministries, the business sector and donors, and raised significant funds for the LC that had subsequently been implemented through a number of infrastructure projects. Dependence on the municipal budgets for the financing of projects has led some LCs to think creatively. The representative of one LC that didn't have its own bank account spoke of the possibility of initiating a citizen association that may be more apt than the LC at attracting funding for some infrastructure projects.

INSIGHTS FROM CASE STUDIES

The LC in Bužim, with its own source of financing, stands out. As LC representatives explained, the LC collected fees for a service that the LC provided – namely water provision and maintenance of the LC's own local water utility. The LC managed the utility and employed a worker in charge of operations. Funds raised were then invested in projects in the form of co-financing or to prepare technical project proposals. A respondent unaffiliated with the LC said that all LCs in Bužim that had own sources of financing worked well.

6.5. Staff and Premises

In FBiH, council members are usually given honorary functions by local acts. While this is not explicit in all local acts, the LC is generally able to employ its own staff, given that it does have the status of a legal person. In the RS, where LCs are not a legal entity, the law prescribes that the local administration performs administrative and expert tasks on the behalf of the LC.¹⁴⁷ In practice, very few municipalities have cases of LCs employing their own staff: Usually, council members work on a volunteer basis and there is no other supporting staff. Table 6.7. shows responses of municipal representatives surveyed concerning employees in LCs in their municipality.

¹⁴⁷ “Law on Local Self-Government in the RS,” Article 109.

Table 6.7. Employees of LC, N=129 (as of May 2014)

	FBiH	RS	BD	Total
One or more LCs in municipality have staff employed by local government	11	6		17
One or more LCs in municipality have own employees	11	2		13
Local government officials perform work for multiple LCs ¹⁴⁸	6	3		9
No employees	47	41	1	89
Unclear	1	-		1
Total	76	52	1	129

According to the survey, LCs in some municipalities have their own employees, usually administrative secretaries. However, in almost all cases, local government representatives emphasized that this was only the case in a couple of LCs in their municipality, usually dependent on LC needs –and financial capacity. On the other hand, the practice of employing administrative staff –usually secretaries that provide support in the LC premises– is common in a number of municipalities, especially urban ones such as Tuzla, or the municipalities in the Canton of Sarajevo. LC secretaries are inherited from the former political system, and while a majority of local governments has abandoned this function, they appear to be especially important in larger urban LCs, where they usually perform administrative tasks and coordinate with the local government administration. In the RS, employees of LCs or local government were few. In both entities, municipal representatives stressed that LCs relied on the volunteerism of their council members.

Interviews with randomly chosen LC representatives showed similar results. Out of the 83 representatives of LCs interviewed, there were no own employees in all cases but 3, and 14 were assisted by a secretary employed by the local government. In 12, respondents said that presidents or council members received a symbolic monthly compensation from the municipality –either for their work or to cover travel costs, usually in the range of 35 to 150 KM per month. Representatives of five LC case studies also received compensations in this range –either to cover costs they had incurred in terms of travel and communication, or as a contribution for their work.

In cases studied, finding the right mode of servicing the administrative needs of LCs –which usually consisted of filing requests on the LCs’ behalf and coordinating meetings– was addressed in different ways by municipal administrations. For example, in two municipalities, Tuzla and Centar Sarajevo, secretaries employed by local government provided such assistance, and were seated in

¹⁴⁸ These are usually more secretaries who cater to the needs of a couple or more LCs each, depending on the size of the municipality. In that sense, they are separate functions from an LC coordinator, a local government official who is usually in charge of LC-local government relations.

the LC premises. In Prijedor, ten regional coordination offices set up by the city employed coordinators, local government employees who organized meetings, kept minutes of meetings and filed requests to the local government and relevant local institutions on behalf of LC councils. In Prnjavor, a municipal employee was designated to take minutes of LC council meetings and provided support with requests that LCs were to file on behalf of their citizens. In Drvar, the municipal coordinator also filed requests on behalf of LCs that lacked capacity. However, no matter what form of support was provided, there was a consensus among respondents that such assistance was welcome given the limited resources at LCs' disposal. In general, most respondents were nostalgic about the pre-war institution of the LC secretary. They were often depicted as a capable point of contact, taking care of almost all relevant needs of the community.

When premises are concerned, semi-structured interviews with LCs chosen randomly from 83 municipalities show that a majority (64) had their own premises, or rented or used premises, while 19 had no premises at all. A majority of the case study LCs had their own premises, but some complained that they were not equipped or adequate. For example, one was located in a container. Another, following the loss of legal status, had been left without a space to meet; the LC representative complained of council meetings being held in coffee shops or houses of council members. Some stressed that having premises was a basic precondition for being able to interact with citizens –or organize citizen assemblies.

While the general notion was that for LCs to be able to function, they should have at least minimal staff and a place to work, their more substantial equipping depended on what was expected from LCs. Case study and other respondents generally stressed the numerous important potential roles of the LC: a coordinator of citizen requests, a service provider, a representative of citizen interests, a community mobilizer, *inter alia*. For such a myriad of roles that respondents envisaged for the LC, many of them emphasized the need to strengthen LC capacity. In fact, when asked what would be necessary to improve local community work, 7 randomly chosen LC representatives mentioned premises and 11 technical equipment and databases.

Some LC respondents also stressed the need for education of LC representatives. According to one LC representative, they needed to undergo training in communication skills, how to write project proposals, how to motivate citizens, how to engage local companies, how to plan, to learn the competences of different institutions and different levels of government. This was also reiterated by an LC expert –in order to be able to perform their functions adequately, LC leaders needed, *inter alia*, to learn communication skills, to plan, and to learn about government structures. Although a number of local government representatives surveyed said that LCs in their territory had undergone some capacity building or education, they mostly gave examples of programs by international organizations or *ad hoc* seminars. Capacity-building programs administered by local governments were generally absent, except for in couple of cases, which was also emphasized as

a challenge by some of the interviewed LC experts who had been involved in LC capacity building.

Some respondents also spoke of the dire need of introducing electronic modes of operation in the LCs, in order to be able to release information more quickly between the LC, local governments and residents. One local government representative explained that during floods, they had instructed all LC presidents to open email addresses and send daily updates. An LC representative said it would be convenient to have access to the local government network for easier communication, and for residents to be able to download local acts in LC premises.

In Drvar, Bratunac, Travnik and Derventa,¹⁴⁹ some respondents also believed that one way that the position of the LC could be strengthened would be through the conglomeration of LCs in rural areas with very few residents. At the same time, having more LCs meant greater cost associated with covering their operations. Some mentioned that LCs were receiving the same amount of funding from the local government despite having to cater to the needs of much larger populations. Despite cost considerations, it is nevertheless questionable how such conglomeration and the pooling of resources in rural areas would be in line with the principles of communal self-government, if these settlements were far apart to begin with. Increasing capacity could come at the price of reducing communication with residents and decreasing the legitimacy of such units, which had already been stripped of competences and capacity to exercise communal self-government. While conglomeration may make sense where settlements are very small and very close geographically, cost should not be the only criterion used to assess the viability of LCs.

6.6. The Service Function

As previously mentioned, international standards promote the subsidiarity principle in sub-municipal governance, while international literature often points to the importance of the service delivery function of such bodies. In BiH, relevant laws do not explicitly promote such a function. In the RS, recent amendments to the local self-government law now explicitly define how the LC is to be used to meet the needs and interests of citizens. In the service delivery realm, it appears that the only palpable service that a LC could deliver is protection from natural disasters and organizing, removing and mitigating the consequences of such disasters.¹⁵⁰ However, the law does not explicitly grant specific competences or

¹⁴⁹ This was not the case everywhere: In Prnjavor, some respondents spoke of the need to fragment LCs located in the city because of the large size of their population.

¹⁵⁰ "Law on Local Self-Government in the RS," Article 109a. Earlier, there were no explicit functions of the LC defined by the law.

executive powers in the civic protection realm. Otherwise, the LCs are envisaged as a channel for citizen requests and demands and an advisory body in local decision-making processes. They can also participate in providing spatial, financial, and organizational conditions for sports and recreation, or in the construction of community objects, or may organize different forms of humanitarian assistance in the LC vicinity –this implies *ad hoc* activities organized to meet community needs. This is similar to DB, where the law lists coordination and citizen engagement functions for LCs.¹⁵¹

Local acts in RS municipalities usually do not go further in prescribing service functions: In addition to reiterating their coordination and advisory roles, local acts tend to list areas where citizens may fulfill their needs through the LC, such as housing, health or social protection, or contain general provisions on implementing activities that will contribute to quality of life.¹⁵² However, service delivery is generally not specified.

In FBiH, LC work is also formulated as a function of citizen engagement –citizens are to use them to decide on affairs of importance for their livelihood. Similar to the RS, LCs are used as a venue for filing citizen requests, for providing advice to the government and serving as the link between government and residents. More substantial functions include: Taking care of the protection of persons in need and in that vein, initiating cooperation with organs in the area of social protection, taking care of the development of culture and sports and creating conditions for citizens to access institutions and objects of culture and sports, as well as creating conditions and taking measures for the preservation of the environment. Citizens can decide in the LC on other affairs as defined by statute and rules of LCs, taking care of the type and scope of needs, available funds, and interests of all citizens.¹⁵³

LC statutes from FBiH analyzed as part of this study show that the variety of competences they list for LCs could signal the existence of robust sub-municipal institutions active in many segments of community life. Nevertheless, in many cases, LCs tasks are expressed in terms of the “initiation of” or the “participation in” certain activities, and the distinction between initiating and actually performing certain tasks is not always clear. For example, in the municipality of Tešanj, the LC is responsible for *initiating* certain activities that are to directly influence everyday lives of citizens, including the construction and maintenance of different communal and infrastructure objects, the maintenance and cleaning

¹⁵¹ “Law on Local Communities in the District of Brčko of BiH,” Article 5.

¹⁵² E.g. see “Statut Opštine Prnjavor” [Statute of the Municipality of Prnjavor], *Official Gazette of the Municipality of Prnjavor* 8/13, Article 8-13, 76; See Odluka o mjesnim zajednicama Grada Prijedora [Decision on Local Communities of the City of Prijedor], *Official Gazette of the City of Prijedor* 1/06, 3/07, 10/11, Article 5.

¹⁵³ “Law on the Principles of Local Self-Government in FBiH,” Article 25.

of spaces, but also the organization and improvement of activities in the realms of health, social protection, education, culture, civil protection.¹⁵⁴ Similarly, in the case of Jablanica, LCs are to directly *participate* in affairs of direct interest for meeting citizen needs, not limited to the construction and maintenance of roads and a number of other communal affairs (e.g. management of graves, maintenance of parks, waste disposal), consumer protection, etc.¹⁵⁵ But acts do not prescribe LCs' responsibility for the actual organization and execution of these tasks, e.g. providing a certain communal service or being in charge of maintaining infrastructure objects.

Some local acts entail more explicit provisions that appear to give LCs more robust competences for service delivery. For example, an LC statute from Teočak prescribes that the LC has in its jurisdiction the construction and maintenance of roads, sewerage, waterworks and other communal needs; the beautification and maintenance of neighborhoods, parks and other areas and objects; that it is to engage in civil protection in line with the law, etc. Moreover, citizens are to, *inter alia*, organize a civic protection unit and undertake measures of self-protection and other measures to prepare for unforeseen events.¹⁵⁶ Tasks of an LC in Kreševo include the organization and management of civil protection in line with higher level bodies' instructions, the organization of trainings for citizens in this realm, taking care of construction, maintenance and use of communal objects, taking care of communal hygiene in buildings, even taking measures for the development of agriculture and creating preconditions for greater employment and proposing priorities concerning employment. On the administrative end, tasks include keeping evidence of those able to work, the unemployed, those in social need, pupils, displaced, whether for personal assessment and need or upon request of municipal bodies.¹⁵⁷ In other words, local acts demonstrate that, depending on the location, LCs are to perform a number of competences in the service delivery realm. However, representatives of the LC whose statutes were scrutinized and that were randomly chosen from these municipalities for semi-structured interviews pointed to no or almost no services: The only service one of them provided, according to a representative, was the issuing of some administrative documents. While this may not be the case for all LCs in these municipalities –or LCs in municipalities where local acts prescribe certain competences– local acts in FBiH appear to allow for a broad range of LC tasks, but fail to provide LCs with true competences in terms of execution. Moreover, LCs appear to be limited both by their capacity and funds to perform such tasks.

¹⁵⁴ "Local Community Statute," Municipality of Tešanj, Article 7.

¹⁵⁵ See: Statutes of Local Communities, Municipality of Jablanica, Article 12.

¹⁵⁶ LC Statute, Municipality of Teočak, 2009, Article 8 and 9.

¹⁵⁷ LC Statute, Municipality of Kreševo, 2013, Article 8.

The survey with municipal representatives from both entities and DB shows that LCs do deliver some services in most parts of the country (see Table 6.8).¹⁵⁸

Table 6.8: LC services¹⁵⁹ (data as of May 2014, survey with municipalities, N= 129)

		FBiH	RS	BD	Total
Provides service		42	19	1	62
<i>Types of services provided</i>	<i>Administrative services</i>	32	18	1	51
	<i>Communal services</i>	18	4	1	23
	<i>Social protection services</i>	1	1	-	2
No services		28	26	-	54
Unclear		6	7		13

Nevertheless, services mentioned by local government representatives were usually very basic, and in many instances, it was difficult to delineate between information provision, coordination and service delivery. Most respondents citing social protection tasks usually specified administrative tasks such as keeping evidence of persons in social need or issuing certificates that a person was in the state of social need, which were classified as administrative services in the table above. Only a couple spoke of providing some form of regular assistance to persons in social need, the sick and the elderly. Most commonly listed communal services involved maintaining waterworks, maintaining roads or cleaning and maintaining local graveyards.¹⁶⁰ Administrative functions –usually the issuing of different certificates on destroyed property, on return, household lists– appeared to be the most common service provided. Here, it is also important to note that in a number of cases, LC secretaries, formally employed by the municipality, provided such services.

Semi-structured interviews with LCs showed that LCs provided mainly administrative services, while only a few provided communal services (usually some sort of maintenance) and mediation services to residents through the LC’s peace council. More than 50 percent didn’t have a service function –in these instances, the LCs’ role was mainly to file requests on behalf of citizens pertaining to various local problems, or communicate local needs to the local administration

¹⁵⁸ Here, a service implies a continuous activity, not *ad hoc* actions (e.g. delivering humanitarian assistance for flooded areas, participating in an infrastructure project, etc.). It also doesn’t entail basic coordination, initiating participatory processes in the LC, suggesting priorities for financing to the local government, etc.

¹⁵⁹ N=129. It is important to note that not all LCs in a municipality may be delivering a particular service, especially in the case of communal ones, that are more frequently provided by the LC in rural areas. Moreover, LCs may be delivering more than one type of service.

¹⁶⁰ Some previous studies have identified LCs as a good mode of service delivery, especially in community-based water management schemes. For more, see Khan Mohmand and Misis Mihajlovic, *Connecting Citizens to the State*.

and service providers such as social welfare centers. This was, in fact, the case in 22 out of 29 LCs from RS whose representatives were interviewed. Such findings are also consistent with results of case studies.

A significant novelty of recent amendments to the RS self-government law is that the local government organs may entrust LCs with certain affairs, but there is no clause on providing financial support for the execution of such tasks, nor does it imply more formal delegation of tasks from the local government's jurisdiction. In FBiH, the local government council is free to delegate to all or individual LCs some competences from its jurisdiction, together with proportionate financial resources for their execution.¹⁶¹ While the FBiH law does not define what such competences may be, some cantonal laws do: For example, the local self-government law of the Una-Sana canton prescribes that the municipal council may adopt a special decision by which "certain expert tasks" within the local government jurisdiction pertaining to rights and obligations of citizens may be delegated to the LC, such as: Delivering data on payment of communal fees and other local government revenues, keeping different records, performing tasks in the area of civil law, and other tasks of relevance for the local administration, etc. Such tasks are to be financed from the municipal budget.¹⁶²

In practice, delegation of tasks to the LC –which may or may not imply service delivery– is present in only some cases. Some 23 municipalities surveyed –14 from FBiH and 9 from RS– reported that they had delegated certain tasks to the LC level, but in half of the cases, tasks mentioned pertained to activities that LCs had already been granted by law (e.g. participating in consultative activities, submitting initiatives and requests, proposing infrastructure priorities). Moreover, it was not always clear whether such delegation was formal or not. In 11 cases, tasks were concrete and included:

- Maintenance of objects and buildings
- Maintenance of roads during winter, village graveyards and water utilities
- Beautification of neighborhoods and maintenance of parks and other public areas
- Making decisions on the use of LC premises
- Giving approvals for concessions
- Validating household lists
- Providing the municipality with different data

Very few –only 7 out of the 83 local community representatives interviewed– said the local government had delegated certain tasks from its jurisdiction to their LC. Out of these, three pertained to a regular function that the LC should already

¹⁶¹ "Law on the Principles of Local Self-Government in FBiH," Article 30.

¹⁶² "Zakon o lokalnoj samoupravi Unsko-sanskog kantona" [Law on Local Self-Government of the Una-Sana Canton], *Official Gazette of the Una-Sana Canton* 8/11, Article 45.

have by statute. Other tasks included specific communal maintenance or issuing of different administrative documents. In cases studied, local governments had generally not delegated any tasks to LCs. One local government representative from FBiH said that the municipality had temporarily informally transferred the task of gathering evidence to assess flood damage in the area of civic protection to LCs, without providing LCs with funding for this activity. Most LC experts said they were unaware of the local government formally delegating tasks from its jurisdiction to the LCs they had worked with.

The issuing of different certificates and confirmations, frequently mentioned as a function LCs performed in both entities, appeared to be an informal task in some of the cases studied. In other words, it did not appear that the provision of such documents had been prescribed by local acts as an LC function, which was confirmed by a local government representative from FBiH. As they stressed, this resulted in a lack of standards, as some LCs charged a fee for issuing a document, while others did not. Two other respondents from different municipalities pointed to possibility of abuse in issuing household lists and other confirmations (e.g. on donations, on property damage) given the low level of regulation, as it was often unclear if they were based on systematic information or data.

Issuing confirmations appeared to be a matter of institutional inertia, or, as one respondent, a representative of local government in FBiH, said, an “inherited practice” that both “the municipality and the LCs had gotten citizens used to.” This was well-illustrated in the example of one RS LC representative, who explained that his LC used to be large and influential before the war – even today, diaspora living abroad contacted him and asked him to help them out with some administrative documents. In other words, it appeared that the function of the LC had not been reformed, but had, in some areas, continued to do what it used to do – often without the capacity to do so, or procedures to prescribe such activity.

INSIGHTS FROM CASE STUDIES

Case studies showed that service provision was rare. In **Prijedor, Bratunac, Bužim** and **Travnik**, LCs issued different certificates or confirmations (on social need, on property, on donations, household lists). In **Bužim**, the LC managed and maintained an own water utility. In **Derventa**, given the lack of legal status of the LC, a recently constructed local water utility initiated by LC representatives was managed by an association of citizens.

However, despite the fact that service provision in the formal sense was generally uncommon, many LCs were very engaged in the community and participated in *ad-hoc* activities:

- In **Prijedor**, a successful football club had been initiated, and some of the members of the council also were in the club's steering committee. There appeared to be a synergy between this sports club and the LC. The club was supported by the local government, which also helped in the construction and maintenance of the stadium, and equipped shared premises of the LC and the sports club.
- In **Derventa**, LC representatives had established an initiation committee for a local water utility that surveyed citizens and had started the process of construction. Citizens, the municipality and a donor financed the works. Currently, the local water utility is registered as an association, as the LC does not have a legal status.
- In **Drvar**, the LC had participated in a project on biodegradable waste, financed by the canton. It organized cultural events, shared its premises with many community groups, and appeared overall very active in the community.
- In **Posušje**, LC representatives were active in raising funds and implementing projects in the fields of tourism.
- Residents of the LC in **Bužim** were successful in the production of raspberries and LC representatives worked actively on creating infrastructural preconditions for such production. According to one respondent, agricultural production had “merged” with LC activities.
- In **Travnik**, the LC – together with humanitarian associations – organized a soup kitchen.

Whether or not LCs should have a service delivery role is open to debate: As some of the LC experts interviewed said, a further delegation of tasks may result in LCs becoming an extended arm of the local administration, with their role in fostering community engagement suffering as a result. As mentioned above, Chaskin (2003) also warns that there may be a participation and service delivery trade-off, i.e. that there may be not enough resources to ensure both proper services and the organization of participatory processes in the community in light of scarce resource allocations to sub-municipal units. Other experts interviewed, however, support such a possibility if it is feasible in terms of capacities and finance. A majority of LC representatives interviewed (70 out of 83) answered that, if granted commensurate resources to do so, the LC should perform other

tasks, with communal, infrastructure and administrative tasks, as well as ones in the social protection realm, among the most frequently cited ones. In any case, service delivery depends on the needs of residents of individual LCs, and implies considerations such as feasibility of such arrangements in terms of staff and resources, justifications in terms of greater access and efficiency of services (especially in rural areas), and that enough resources and attention is still being paid to citizen engagement.

6.7. The Cooperation and Coordination Function

While local government laws do not envisage a strong service delivery function for the LCs, provisions on sub-municipal units signal that the LC can be useful in mitigating the needs of local residents in other ways. In both entities, LCs are to initiate and participate in hearings that pertain to spatial or urban plans or in activities related to the development of the economy and social matters, they are to initiate and provide opinion and participate in the construction of communal objects and objects of common use.¹⁶³ In the RS, LCs are to gather and submit to local government organs, public enterprises and institutions petitions and complaints, as well as initiatives and proposals of citizens for solving questions of common interest. In FBiH, the law also prescribes that LCs are to initiate cooperation with organs in the area of social protection, while in the RS, LC tasks include cooperating with citizen associations on issues of interest for LC residents. In DB, LCs main tasks include enabling organized communication between residents and the District's institutions and delivering recommendations to them concerning issues related to quality of life, especially in the areas of infrastructure, reconstruction, urban planning, economic development and assistance to those in social need.¹⁶⁴

In other words, the LCs are to be consulted in the adoption of local policies, and at the same time serve as a venue for filing the input of citizens to the local government and other institutions. Ultimately, these local institutions serve as a link between residents, local governments, service providers and other actors in the community, as a coordinator and as an information provider. Some local acts, as in Prijedor, recap such functions well: They are to communicate between residents and municipal organs and to initiate and give recommendations to municipal organs on matters that relate to improving quality of life in a number of areas (including spatial and infrastructure matters, environmental protection, social protection and health, education).¹⁶⁵ Local statutes in FBiH tend to reiterate

¹⁶³ "Law on Local Self-Government in the RS," Article 109a; "Law on the Principles of Local Self-Government in FBiH," Article 25.

¹⁶⁴ "Law on Local Communities in the District of Brčko BiH," Article 5.

¹⁶⁵ Decision on Local Communities of the City of Prijedor, Article 5.

the above-mentioned provisions from the FBiH law. In addition, statutes usually include principles of general cooperation between the LC, the local government, enterprises and other LCs in the municipality.

Almost all local government representatives surveyed said that cooperation between the LCs and local governments does exist. Only 3 out of the 129 said that cooperation does not exist or is weak. Semi-structured interviews with randomly chosen LCs from 83 municipalities showed that cooperation with the local government is generally good: A majority, 62, cited good or excellent communication and cooperation with the municipality, 8 said that cooperation could be improved, while 10 spoke of bad or very bad cooperation.¹⁶⁶

It is important to note that although there may be a formal obligation to consult LCs for some local acts, as mentioned above, this does not necessarily ensure their influence in local decision-making processes in practice. In fact, only 42 of the 83 LC respondents interviewed felt that they could influence local decision-making processes (18 felt they could influence them partially, depending on the situation).

Cases studied differed tremendously when it comes to cooperation and coordination with their local government. Such differences were also contingent on how communication was institutionalized. For example, where local governments had assigned local coordinators who were in charge of LC affairs, the communication between local governments and LCs generally appeared to be positively evaluated and constant (with a couple of exceptions). In some places where there were no such functions, communication and meetings appeared less constant. Ways in which citizen requests that the LC had received were forwarded to the local administration and handled also impacted the relationship in place; for example, some LC representatives complained that they waited for months for feedback from the municipality, while others boasted quick responses.

¹⁶⁶ Others did not respond or did not give relevant answers.

INSIGHTS FROM CASE STUDIES

Cases studied show that in most cases, the LC serves as a coordinator of citizen requests that are of wider interest for the community. In other words, the council decides usually on what is of common interest to be forwarded to the local government and other local institutions. In addition to asking LCs to identify priorities for financing on an annual basis, the municipality had different modes of coordinating such requests with the LC:

- **Prijedor** appeared to be, institutionally, a unique case. In addition to a local government department for LCs, there were 10 regional offices established and financed by the local government to help coordinate LC work, with regional coordinators who communicated with the relevant city office on a daily basis. According to the municipal representative, coordinators visited LCs regularly. They also reported back to the main office certain requests designated for different institutions and service providers that related to individual LCs. Regional coordinators provided LCs with feedback on requests. Moreover, the task of regional offices appeared to be, as a couple of respondents explained, to invite relevant local institutions or service providers to attend LC meetings on issues or problems in the community. Such a model implies greater likelihood that an issue may be solved given the direct involvement of the municipality in communicating LC issues further to relevant institutions. Both the LC and the local government representatives appeared satisfied with such an arrangement. The LC representative said there was “always feedback” on each request filed.
- In **Prnjavor**, a designated local official provided support to the LC in filing citizen requests.
- In **Centar Sarajevo** and **Tuzla**, where the local government employs secretaries, secretaries filed such requests.
- In other LC case studies, presidents submitted requests to the relevant municipal department and local institutions.

LCs in BiH also engage in cooperation and coordination with other local institutions. For example, local government representatives surveyed said coordination and cooperation between LCs and local institutions related to diverse matters, including issues such as:

- Civil protection,
- Cooperation with communal enterprises concerning communal infrastructure, water provision, electrification, road maintenance, coordinating activities relating to waste collection,
- Cooperating with the centers for social work concerning elderly persons, keeping evidence of persons in social need and sharing information with the centers for social work, constructing houses for those in need,
- Coordinating activities with hospitals concerning sick and elderly,
- Coordinating activities with schools,
- Humanitarian activities, including fundraising and giving out humanitarian assistance

- Cleaning actions,
- Co-organizing sports and other manifestations with sports groups and other organizations,
- Taking part in activities of NGOs,
- Coordination with local police concerning crime, awareness-raising activities on matters of security.

Almost all municipal respondents stressed cooperation between centers for social work and LCs. In fact, providing information to centers for social work, coordinating and meeting on a regular basis, alerting centers for social work to cases of persons in social need and, in some cases, domestic violence, appears to be one of the core activities of LCs throughout the country. As one local government representative put it: “LC president are the greatest backbone of the center for social work.” According to 83 LC respondents, the most common cooperation was with the center for social work (43) and communal enterprises (53); only 15 LC representatives said there was either no cooperation, very poor cooperation with institutions such as public enterprises, centers of social work and others, or that all cooperation took place through the municipal administration. In other words, even though accounts of LC respondents mainly signaled that cooperation took place on an *ad hoc* basis, in accordance with need of local residents, it appears to constitute an important part of LC activity throughout the country.

Most case studies also pointed to meaningful cooperation and coordination between LCs and other organizations, mainly in the civil protection, social or communal realm. Cooperation frequently consisted of information delivery. In fact, in almost all municipalities, representatives of centers for social work were very positive about their relationship with the LC and boasted regular communication and cooperation with them; most of them emphasized that LCs provided them with information, especially on persons in social need. Some respondents also gave examples of LCs initiating the building of houses for those in social need, or coordinating the distribution of humanitarian assistance. One service provider said that the leadership of the LC visited “really went beyond their job description.” A service provider in another municipality explained:

“Persons that lead that LC not only take care, but take care of every person that lives there ... It never happened that there was [a problem] and that we weren’t informed, from health issues to housing.”

INSIGHTS FROM CASE STUDIES

Different respondents in municipalities visited spoke of various coordination and cooperation activities with local institutions and associations. These include the following examples:

- In **Jablanica**, LCs identified persons in social need and provided the center for social work with such information.
- In the LCs of **Tuzla** and **Centar Sarajevo**, there was regular communication with the police concerning public order and security. In Tuzla, the LC also cooperated with enterprises in charge of building maintenance.
- In **Bužim**, the LC representatives said they cooperated with all local institutions, including the police, schools and the center for social work. An action to clean illegal waste disposal sites had been organized together with the communal enterprise.
- In **Travnik**, the LC cooperated with CSOs, civil protection department of the municipality and the local ambulance.
- According to a service provider in **Derventa**, LCs had a significant role in emergency situations, coordinating civic protection, also reiterated by a respondent from **Trebinje**, who mentioned that water had been distributed through the LCs in the case of drought.

In general, when asked what the purpose of the LC was, most respondents from case study municipalities emphasized their coordination role. First of all, they transfer information between citizens, local government and other institutions, which is vital in the case of natural emergencies and of great use in rural areas. At the same time, LCs are understood as coordinators of citizen requests, able to direct residents to adequate institutions in charge of different issues. As some respondents said, they were a “link”, a “counter between the local government and the citizens,” the “first address” citizens turned to in order to report their needs. Their formal status and role of representation of community interests gives them leverage to report needs to the local government and other institutions. Moreover, the LC is perceived as “a channel of delegation” that may help streamline communication from citizens towards responsible institutions, rather than having numerous requests being filed from the community on the same issue.

However, their ability to sublimate citizens’ needs and direct them further, depends, as a number of respondents stressed, on their own capacity to do so, including being informed and informing residents about rights and procedures. As one LC representative who had assumed that function relatively recently said: “We still don’t know what rights we have, or whom to turn to when we have a problem, or how to acquire the possibility to solve some of our problems.” They added that LC representatives should be educated on what their job entails. The absence of institutional memory, which was also stressed by some of the LC experts interviewed, is contingent on the fact that LCs may not have own employees, premises or archives.

This may hamper the continuity of LCs' core activities, and as some authors suggests, may have a negative effect on their legitimacy among residents.

6.8. The Citizen Engagement Function

Citizen participation in local affairs through LCs can hardly be separated from the functions they are to perform. After all, citizen engagement –at least *de jure*– is the main purpose for which LCs have been constituted in BiH. As previously illustrated, they are considered means of direct citizen participation by legislation in the RS and DB. Some local government or LC acts in FBiH also define LCs in terms of the “right of citizens to directly participate in decision-making” in local affairs.¹⁶⁷

Self-government laws prescribe in very general terms mechanisms of direct citizen participation such as referendums, citizen assemblies, or citizen initiatives that may take place in LCs.¹⁶⁸ Another common form of citizen participation in local affairs through the LC is the public hearing that local governments may organize in LC premises. In FBiH, LC organs are to be consulted on matters on which the local government council decides with a two-third majority, local government plans, and other matters that the council and mayor seek consultations on.¹⁶⁹ In the RS, such an obligation does not exist, but a broader provision on organizing mandatory public hearings on matters such as the draft budget is included in the law and most local acts. Besides participating in consultations or filing requests on local needs, LCs can also be used as venues for co-production, where citizens participate in providing spatial, financial, and organizational conditions for sports and recreation, or in the construction of community objects, or may organize different forms of humanitarian assistance in the LC vicinity.¹⁷⁰

One of the key means of citizen engagement through the LC is the citizen assembly (*mjesni zbor*).¹⁷¹ In 29 municipalities in FBiH, they also represent formal organs of the LC. Moreover, they are to serve as venues through which

¹⁶⁷ For example, see “Statut općine Travnik” [Statute of the municipality of Travnik], *Official Gazette of the Municipality of Travnik* 11/05, Article 59; “Statut mjesne zajednice,” Općina Sapna [Local Community Statute, Municipality of Sapna], 2009, Article 3; “Statut Općine Orašje” [Statute of the Municipality of Orašje], *Official Gazette of the Municipality of Orašje* 6/11, Article 72, “Statut Općine Kalesija” [Statute of the Municipality of Kalesija], *Official Gazette of the Municipality of Kalesija* 10/07, Article 97.

¹⁶⁸ “Law on the Principles of Local Self-Government in FBiH,” Articles 43-45; “Law on Local Self-Government in the RS,” Articles 99, 106.

¹⁶⁹ “Law on the Principles of Local Self-Government in FBiH,” Article 29.

¹⁷⁰ *Ibid*, Article 25; “Law on Local Self-Government in the RS,” Article 109a.

¹⁷¹ “Law on Local Self-Government in the RS,” Article 102; “Law on the Principles of Local Self-Government in FBiH,” Article 43.

consultations on certain issues are initiated and organized, and demands are filed. At assemblies, residents are usually to decide by majority vote on certain issues, such as communal infrastructure or maintenance of public spaces. Local acts usually prescribe a minimum number of residents that have to be present for such decisions to become valid and a deadline by which the municipal assembly or council is to reply to requests made by the assembly.

Nevertheless, how much control citizens can exercise over the citizen assembly is questionable. While in the RS, the local self-government law prescribes that the president of the LC is to organize a citizen assembly upon the written request of at least 50 residents,¹⁷² in FBiH, the law does not entail such an obligation, and it is not included in all local acts.¹⁷³ Some local acts may also prescribe in detail the procedures of organizing citizen assemblies, but this is not the case everywhere, leaving much uncertainty as to how they are organized and run in practice.

Research results suggest that citizen assemblies may often be sidelined in practice. Table 6.9. shows how often such mechanisms are used in practice, in line with municipal and LC responses.

Table 6.9. Organization of citizen assemblies in practice in FBiH and RS

		Municipal responses (N=128)	LC responses (N=83)
On regular basis ¹⁷⁴	FBiH	31	31
	RS	11	14
In line with need	FBiH	29	11
	RS	31	7
Rare or never	FBiH	9	10
	RS	7	6
Doesn't know/ no response	FBiH	3	2
	RS	2	2
Some LCs more active than others	FBiH	4	-
	RS	1	-
Total	FBiH	76	54
	RS	52	29

At least judging by local government responses, it appears that citizen assemblies take place on a regular basis in some 30 percent of municipalities, and more regularly in FBiH than in RS. A higher percentage of LC representatives

¹⁷² “Law on Local Self-Government in the RS,” Article 102.

¹⁷³ They are to be called by the LC president, and can also be initiated by a given number of LC council members, the mayor or a given number of municipal council representatives.

¹⁷⁴ At least once a year.

claimed regular gatherings taking place –between every couple of months up to a year– but nine didn't give precise information on the frequency of such events. Only a couple LC representatives mentioned that citizen assemblies were organized to report to citizens what the LC organs had accomplished in the previous year –i.e. on a regular basis.

In-depth case studies confirm that citizen assemblies as venues for participation are underused. In fact, representatives of only two LCs said that citizen assemblies were held on a regular basis, while a third had just initiated such a practice following recent elections. In one case, they were held twice a year –in order to define priority needs and to report on activities in the previous year– and sometimes were more frequent as there were many infrastructure problems to tend to. According to the LC president, citizens also initiated such events. In another LC, assemblies took place once or more times a year, but they were usually initiated by the municipality to present the draft budget or other local acts. Thus, they served the function of a public hearing. In two LCs, they were organized in line with need, in four were rare, and in others didn't take place or hadn't been held yet because of the relatively short mandate of LC organs. In a couple of cases, LC representatives mentioned that citizens organized assemblies to stop construction works in their vicinity.

The practice of not organizing citizen assemblies or gatherings is in fact, highly problematic. As a couple of respondents pointed out, only a small group of individuals could be catering to their own private interests and thus defining priorities that were not in the community interest. This could lead to a lack of legitimacy of the LC to represent community interests, scenarios that are also stressed in other empirical research, such as that of Chaskin (2003) or Dierwechter and Coffey (2010). Moreover, not all LCs were accountable to their citizens –they often do not report to them what they had done or would do. A potential loss in legitimacy and accountability could lead to a lack of trust among residents, which may mean that citizens are unwilling to co-finance local projects or may simply become alienated from these institutions.

Public hearings as consultative exercises that are usually organized by the local governments appear to be common practice in most of the local governments surveyed. In fact, almost all local government representatives said their municipality regularly organized public hearings –either in LCs or in the local government or other venues, which was the case for the majority or 118 municipalities. Some explained that they were unable to organize public hearings in the LC –either because LCs were lacking facilities, or because it was logistically unfeasible because of the large number of LCs. 41 or about a half of the 83 LC representatives interviewed said that the municipality organized public hearings in their LCs, and 12 also mentioned public hearings were organized centrally, in the local government premises, or by regions. In case studied, only in four cases were such hearings organized in the premises of the LC.

It appears that there is a general perception among case study respondents that citizens are not actively involved or not interested to take part in such

participatory venues as assemblies or hearings. Nevertheless, such claims are not based on any evidence that there had been significantly higher levels of citizen engagement in LCs in the previous political system, or that citizens have, as one of the respondent claimed, “abandoned LCs” as a form of engagement. But placing blame on citizens appears to be the easy way out, as it is questionable if LCs and governments have created meaningful venues of participation. After all, there appear to be challenges in the procedures of organizing such events, as multiple respondents pointed to a lack of information about them taking place and an absence of basic means for effective organization of public events (e.g., absence of contact lists, of appropriate facilities). In many instances, the promotion of such events, as described by respondents, was informal and sporadic. Only in one municipality did LC representatives mention that they sent personal invitations by mail –and generally had good turnout at assemblies.

Moreover, even if the notion that citizens don’t participate because they “have been lied to so many times” or have “great mistrust” in the LC’s ability to solve problems conforms with the reality, this may signal a lack of ability to influence local decision-making processes, making participatory processes formal, rather than substantial. As one local government representative explained, there is a procedure for proposing capital investment projects in line with objective criteria and LCs may have done their part of the work in consulting with the community and defining priorities, but councilpersons may decide to allocate budgetary means to their own constituencies. In other words, such processes, vital for strategic planning, were stripped of meaning by the *ad hoc* local politics. “This part to me is the most devastating for the quality organization of LCs ... and local government,” according to the respondent. In fact, many LC representatives interviewed both through semi-structured interviews and in case studies were skeptical of their ability to influence local decisions, despite having many formal and informal means at their disposal to interact with local government bodies.

Despite what seems to be weak participation through formally defined participatory mechanisms, this does not mean that citizens do not use the local community as a site of collective action, as case studies demonstrate. In eight of the LCs visited, usually rural areas, citizens mobilized their workforce and funds around basic communal needs that were not unmet by local governments despite its jurisdiction (e.g. water, road maintenance, waste collection). Two LC representatives from different municipalities stressed that they could not rely on anyone, and that accomplishment depended on their own engagement. Case studies showed a pattern in collective action –once “things got started” and small projects were completed, the community mobilized to solve other issues. A respondent in Bratunac explained that it was really about persistence in solving crucial problems that got the population moving, such as building a walkway for citizens on a road where many traffic accidents had occurred, or bringing streetlight to the LC settlements, or solving the problem of water supply. In Drvar, an older, returnee population, with many unemployed residents, was willing to financially participate in a project because they could see that something had

been initiated and completed by the LC. According to the LC representative, it was automatically easier to seek contributions for the next project. Many actions were implemented with minimum outside support, including the removal of illegal waste disposal sites, the reconstruction of roads and objects. It was about recognizing that “something can only change with one’s own work and some form of engagement.”

Many respondents from case studies agreed that LC leadership was crucial in igniting people to start participating. As one respondent said: “They usually say it’s not about one person, but in the end you see that it is about one person. ... [the LC president] knows how to animate people, he knows that people trust him.” Another LC representative described what had moved him and others to act: “In 2006, we saw that the village was deteriorating. People came here only for funerals; they didn’t even want to enter their own homes. We realized that the village would be no more soon, and then looked into what we could do. We knew that we couldn’t get support from the municipality, because it was poor. ...”

Because of, or in spite of active individuals, many case study LCs seem to be important venues for mobilizing collective action. This is in line with theoretical arguments about the necessity of having institutions that can facilitate agreement among people and thus solve collective action problems. While this research included a limited number of cases selected based on the perceptions of their active character, and thus may not be generalized to other vicinities in BiH, this does not preclude the possibility that there are hundreds of others that are also facilitating collective action in the community.

However, in order to make LCs less dependent on the existence of enthusiastic leaders, a number of preconditions need to be met. Case studies show that processes of community engagement could be more operationalized (and made mandatory for particular issues) and the LC representatives’ ability to organize different participatory processes and mobilize many different groups could be strengthened. As Chaskin writes, working towards legitimacy and ownership of LC work by the local community relies on timely, direct and inclusive communication between local institutions and the residents, as well as the identification of the manageable aims for such activities.¹⁷⁵ Some LC leaders from case studies have done this instinctively, without much guidance –they have engaged the community around smaller projects, only to foster more engagement. Moreover, recognizing participation as an end in itself –as a site to mobilize civic skills¹⁷⁶– also implies capacity building both by educating LC representatives, through the provision of basic means necessary to mobilize the community, but also through the adoption of procedures to guide such processes.

¹⁷⁵ Chaskin, “Fostering Neighborhood Democracy,” p. 179.

¹⁷⁶ Horak and Blokland, “Neighborhoods and Civic Practice,” p. 255.

In those places where the LCs' track record already includes a number of important projects, they may not need to build legitimacy among their residents. However, the LC generally needs to work on its legitimacy because it is no longer the only venue through which citizens engage, although it still is an important one for articulating general public interest, especially in rural areas. As case studies demonstrate, there is a number of venues for citizens to become involved, such as political parties, civic groups, different interest groups and religious institutions. This is in great contrast to the available venues of participation that existed prior to the country's democratization, when LCs had a much more privileged position as one of the few channels of engagement. As Chaskin notes, "depending on who participates, and in what way, different organizations often come to be seen as representing and acting on behalf of particular constituencies and around particular issues rather than the neighborhood as a whole."¹⁷⁷ Diversity of such opportunity structures is perceived as a strength, as it provides for "multiple points of access and multiple avenues through which information may flow."¹⁷⁸ However, this also means that the local community –instituted to represent the interests of the broader community– is to be an open and accountable structure that actively engages with the community and its different groups to ensure not only descriptive, but substantial representation.

¹⁷⁷ Chaskin, "Fostering Neighborhood Democracy," p. 180.

¹⁷⁸ *Ibid*, p. 173.

7.

Conclusion

The findings of our study may not be applicable to local communities in BiH everywhere, especially lessons drawn from the case studies. However, overall research findings point to a range of significant local community activity and involvement in different local affairs, usually of direct relevance to the needs of community residents. Findings raise numerous questions and propose suggestions about the role and the possibility of the local community in BiH to act as an opportunity structure for local residents in given socio-economic context.

In that vein, in order to know what preconditions have to be met for their improved functioning, the purpose of the local community should be more clearly determined. While it is difficult to generalize for all LCs –even for those twelve visited as part of the case studies– applying the Lowndes and Sullivan (2008) framework of the four ideal types of neighborhood governance (recall Table 2.1.) places the BiH practice closest to the “neighborhood government” type, where LCs are envisaged as bodies that rely on representative democracy, and where the resident is the voter. This is not surprising given that LCs had a similar role in the former political system. While there are traces of “neighborhood partnership” –especially in LCs’ often voluntary cooperation with centers for social work– as well as “neighborhood management” in vicinities where LCs are used as a means to satisfy economic needs through infrastructure projects, practice shows that the characteristics of the citizen empowerment type are least present in BiH. In other words, the LC model in BiH is, at least formally, geared towards representative democracy, with some elements of market democracy, where engagement of residents is primarily seen through the prism of satisfying direct (service and infrastructure) needs.

If one of the main functions of LCs is to be representation of community interests towards higher levels of government, then such representation –and elections as the mode of its fulfillment– needs to be more strongly prescribed and implemented in practice. In fact, this is especially important for FBiH and DB, where a lack of operationalization of elections in local acts may lead to a lack of legitimacy of LC organs. It also entails determining in different local contexts how different parts and groups of the community best be represented. It entails providing different candidates –e.g. those belonging to a political party and those coming from the civic sector– with equal opportunity to participate in elections. It also means having strong oversight mechanisms of elections to make sure that no abuses take place. But legitimacy is earned not only through descriptive, but also through substantive, representation –i.e. whether the local community truly

acts on residents' behalf. Our research shows that this may not always be the case, especially where LCs do not engage with citizens. Thus, meaningful avenues have to be established through which citizens can communicate their needs via their LC representatives to local government institutions and receive consistent feedback, which requires some administrative capacity on the behalf of the LC. In practical terms, accountability to residents needs to be achieved through regular reporting on the activities that LC representatives conduct, but also to the local government that dispenses public funds to local communities.

If, however, the LCs' primary role is to meet basic need, then identifying priorities in infrastructure and the delivery of certain services may take center stage. In BiH, this especially seems to be relevant in more rural areas that are faced with inequality in local service provision. There, citizens have greater incentives to mobilize and participate financially or in-kind to address their joint needs. Thus, mobilizing the community around infrastructure and the improvement of service provision as their core common interest will also entail advocating for standards in the quality and level of service delivery and agreeing on such standards in cooperation with local government and service providers. After all, entity laws on local self-government and other sectoral laws oblige local governments to deliver communal and other services not only in urban, but also in rural areas. Moreover, LCs' ability to communicate clearly local needs towards local government and service providers would require active and consistent involvement of citizens, either through open and genuine consultation, or through surveys and other feedback mechanisms. In cases where LCs decide to provide own services –such as the management of water utilities– their capacity to engage in such activities needs to be strengthened, such competences clearly prescribed and their work brought in line with standards in respective areas of service delivery, which also entails greater communication with service providers in that realm.

Where LCs primarily perform a social function –especially in areas with a high number of unemployed and poor– building partnerships with stakeholders, such as centers for social work, may become a core activity. While such cooperation appears to exist in most LCs studied due to their knowledge of the situation on the ground, it is often *ad hoc*, informal, and relies on the enthusiasm of local community leaders. Taking on a stronger role in this realm means that LCs are formally delegated certain tasks –and administrative and financial capacity– to be able to keep evidence, provide information to service providers, but also engage in direct support to the local population, including prevention activities such as disseminating information on their rights. It moreover means building their capacity to engage in continuous partnership that is not contingent on changes in local community membership.

Last but not least, if they are to fulfill what is often romantically perceived as their former role and normatively encouraged by many local and international actors as their true role –that of citizen empowerment– building participatory infrastructure should take center stage, with all that this entails. Research shows that, in general, organizing different types of participatory events and building

arenas where citizens could deliberate on issues and try to influence local affairs is generally not commonly practiced. On the other hand, where residents seek to satisfy basic infrastructure and service needs, the LC appears to be an effective venue for collective action. Building up the capacity of LCs in the realm of citizen engagement requires determining “how much resident participation (and of what kind) is needed and possible,” how citizens perceive mechanisms of citizen participation in a given place and what barriers and incentives to participation exist. Only then can “participatory, community-building strategies” be created.¹⁷⁹ In the BiH context, given an apparent reluctance among many LCs to organize citizen assemblies, it is probably not only about identifying the right mode of participation or building up LC capacity to implement meaningful participatory processes, but also at least as equally important, about introducing the obligation that the LC should consult with its residents on a regular basis. Moreover, there is a need to educate citizens about the importance of participating in LCs.

Research has shown that there are no universal formulas –lessons from LCs throughout BiH demonstrate that their experiences and needs are diverse. Some may be better at delivering services and coordinating with other stakeholders –and in fact, may actively need to do so because of their location– while others are good at mobilizing the community around infrastructure needs. Such diversity of practice signals that LCs in each vicinity do not necessarily have to perform the same tasks, but rather to cater to the needs of neighborhoods (e.g. rural versus urban ones), as homogeneity in functions may lead to misplaced expectations.¹⁸⁰

However, there should be a minimum of standards set in terms of LC operations in order to ensure their legitimacy, accountability and efficiency. These, *inter alia*, should pertain to organizing transparent and democratic elections that will formally provide for the representation of different groups in the community; to ensuring meaningful and regular citizen involvement in decision-processes within the LC; clearly delineating between LC and local government tasks to ensure greater accountability for such tasks; and, in case of service provision, to finding feasible models of financing LC work and equipping them with the capacity to perform effectively. For as Chaskin notes, “for a community organization, building trust relies to an extent on the degree of legitimacy that can be established and on the creation of mechanisms of accountability to sponsors and interlocutors (partners, local government, funders) and to the community constituency an

¹⁷⁹ Chaskin, “Fostering Neighborhood Democracy,” p. 187.

¹⁸⁰ For example, Griggs and Roberts (2012) find that the declarative shift towards neighborhood management among UK neighborhoods “runs the risk of generating unmet expectations among stakeholders” in a cases where neighborhoods had no strategic responsibility for service delivery and community activists and residents were invited to participate with little opportunity to influence such processes. Steven Griggs and Mark Roberts, “From Neighbourhood Governance to Neighbourhood Management: A ‘Roll-Out’ Neo-Liberal Design for Devolved Governance in the United Kingdom?” *Local Government Studies* 38, no. 2(2012), pp. 206-207.

organization serves. Each of these, in turn, relies on effective processes of organizing, outreach, and involvement, and on the capacity and resources to carry them out.”¹⁸¹

Despite many examples that point to positive contribution of LCs in the community, it is important to recognize that most LCs studied have *de facto* been stripped of competences, capacities and means of funding, and are reduced to representative bodies with no institutional memory to ensure continuity in operations. Any policies that may seek to strengthen particular LC functions should recognize structural obstacles that LCs face in their work. Although their experiences may be different, something that seems to connect most of the LCs studied is the lack of “governance” in the BiH sub-municipal governance. In its core, sub-municipal governance presupposes horizontal, non-hierarchical interactions with different institutions and actors. However, in most instances, LCs appear to be managed by hierarchical, top-down means, which are in contradiction to the principles of self-government. The starkest example of this is the lack of legal status or financial autonomy in the RS and some FBiH municipalities, as well as the complete reliance in many instances on the administrative support of the municipality in light of LCs’ own lack of administrative capacity. Thus, in order to foster the development of true neighborhood-level institutions, which may perform a variety (and multitude) of functions, such as citizen engagement, service delivery, planning, cooperation and coordination, or representation of community interests, creating a space for horizontal relationships is crucial. Otherwise, citizens may continue to regard the local community with the “deep mistrust” that is often cited as a reason for the disengagement between local communities and residents.

¹⁸¹ Chaskin, “Fostering Neighborhood Democracy,” p. 186.

8.

Recommendations

In line with the research results, the following policy recommendations have been generated as potential avenues for the further enhancement of sub-municipal governance in BiH. Recommendations especially target governments in BiH, but some can also be of relevance to the activities of different donors or community development NGOs.

For higher levels of government (entity and canton):

- Articulate more clearly perspectives for local community development through policies that would more explicitly and substantially define the various purposes of local communities in local governance;
- In order to ensure the legitimacy of LC organs, introduce, where missing, rules for LC elections that promote inclusion and representativeness, as to operationalize and make LC elections more transparent and accessible to residents;
- Having mind their potential for collective action, coordination and execution of important tasks, consider – where this is not the case – granting all LCs the status of a legal person, while introducing provisions that guarantee accountability of their work;
- Consider program-based financing schemes that would encourage local governments and other local institutions to cooperate more closely with LCs in sectoral community projects (e.g. local development planning; environmental protection and communal maintenance; social welfare; culture, etc.) and raise LC capacity.

For local governments:

- In local acts, introduce provisions on regular financial and activity reporting obligations of local communities to residents and to local government;
- In local acts, delineate more clearly local community functions in relation to local government functions, taking into account the needs of particular localities and the capacity of local communities. Where local communities provide administrative and other tasks, formally delegate and standardize such tasks, in line with commensurate funds for their performance;
- Where LCs are in some ways involved in service provision, define quality standards and aims. Moreover, establish coordination mechanisms between service providers and LCs to ensure feedback on service planning and delivery.

- Operationalize citizen engagement processes (e.g. procedures on citizen assembly, public hearings) for accessible and meaningful participation of residents in local communities. Moreover, operationalize obligatory feedback mechanisms between residents, LCs and other local institutions.
- Where not adopted, introduce transparent financing criteria for LC work, but also for priority projects delegated by LCs, which are to be financed from the municipal budget.
- Create preconditions for the diversification of LC funding and foster basic administrative capacity of LCs for meaningful engagement in the community.

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