

Decentralization and local democracy in the world

First Global Report by
United Cities and Local Governments



2008

Decentralization and local democracy in the world

First UCLG Global Report

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Decentralization and local democracy in the world

2008 First
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Report

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GRALE



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FOREWORD

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1st UCLG World Report on Decentralization and Local Democracy in the World

Foreword

This publication of the UCLG on Decentralization and Local Democracy comes at a timely moment. The world has just passed a significant threshold: it is now more urban than rural, with a greater number of people living in cities than at any time in history. Furthermore, over the next 30 years most world population growth will be in developing country cities. Highly visible megacities will continue to grow, but more slowly on the whole, while cities under 1 million in size are projected to absorb a population increase of nearly one half billion in the next 15 years.

This demographic shift constitutes the maturation of the urbanization process and poses a tremendous challenge for poor and middle income countries. The challenge is to provide the services that are essential to the health, education, prosperity, and well-being of people living in cities, and to do so sustainably in the face of global challenges such as climate change.

Many developing countries seeking to respond to the challenge posed by these demographic shifts will choose decentralization and local democracy in various forms as one tool to achieve basic social ends. Regardless of the degree of decentralization, in an increasingly urbanized world governance and management in cities and towns will take on heightened importance. The World Bank applauds the work of the UCLG in underscoring these key functions and we welcome this *Report* as input to our collective thinking on the subject.

While many of the problems facing cities and towns may be global, the solutions will, in large measure, be local and unique to the specific circumstances on the ground. Good solutions will result from a smooth collaboration amongst various levels of government that is crafted pragmatically to get results. We look forward to a strong partnership with UCLG.



Katherine Sierra

Vice President, Sustainable Development
The World Bank



Preface

It is my great pleasure, as President of the World Organization of Local and Regional Authorities, to present the first **World Report on Decentralization and Local Democracy**, published in cooperation with the World Bank and Cities Alliance.

I hope that this *Report*, which is the first of its kind, will contribute to deepen and strengthen knowledge about the role of local governments in the contemporary world, and to enrich national and international discussions on the relationship between decentralization and development.

The present *Report* clearly shows that the world is undergoing a **quiet democratic revolution**. Therefore, even if important aspects of this process have yet to be accomplished, especially in countries in conflict (in the Middle East, Asia and Africa) local democracy is gaining momentum all over the world: from the African savanna villages, the highlands of Latin America to the *barangay* in the Philippines.

In a world where more than half of humanity now lives in cities, local authorities are also the key to the solution of major contemporary challenges of all kinds: democratic, as it is in the local sphere that the sense of citizenship is reinforced and identities are constructed to deal with globalization; environmental, since the preservation of our planet and the fight against global warming depends to a great extent on finding sustainable solutions to transform current models of production and consumption, particularly in the urban areas; economic, given that large amounts of wealth and opportunities, as well as extreme inequities are generated within the cities and in their surroundings; and, social, as it is at the local level where

the grounds need to be set for creating social inclusion, managing cultural diversity and ensuring human security.

This publication follows the adoption by Member States of the UN Habitat Governing Council of the *International Guidelines on Decentralization and Strengthening of Local Authorities*: the first international cornerstone reference to "outline the main principles underlying democratic, constitutional, legal and administrative aspects of local governance and decentralization¹".

Both the guidelines and this *Report* are the fruition of longstanding efforts by local governments and their partners which I hope will complement each other promoting the ownership and implementation of the *Guidelines* by States and local authorities all over the world. The *Report* constitutes the first stage of the **World Observatory of Decentralization and Local Democracy** project launched by United Cities and Local Governments and supported by the UN Habitat Governing Council.

I am convinced that this publication –the first of regular triennial reports– will enable United Cities and Local Governments to become "a major world source of information and intelligence on local government" as anticipated by its members.



Bertrand Delanoë
Mayor of Paris
France
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1. UN Habitat, 21st Governing Council, Decisions and Resolutions, Nairobi, 16-20 April 2007: Resolution 21/3.



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INTRODUCTION

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INTRODUCTION

"Local self-government denotes the right and the ability of local authorities, within the limits of the law, to regulate and manage a substantial share of public affairs under their own responsibility and in the interests of the local population".

(European Charter of Local Self Government, Part I, Art. 3)

One of the goals of **United Cities and Local Governments** since its creation in 2004 has been to create a Global Observatory on Local Democracy and Decentralization "in order to analyze on a regular basis the advances and possible reverses to local democracy and decentralization around the world, to anticipate potential changes and to analyze the obstacles faced and the solutions required to overcome them" (UCLG Executive Bureau, June 2005).

This *First Global Report*, as we present it today, is one of the results of that initiative. It is also the first global attempt to offer a comparative analysis of the situation of local authorities in every region in the world. The local elected representatives who are members of the governing bodies of UCLG share certain core values regarding local governance issues and support the principle of subsidiarity, whereby decisions should be made at the level of government closest to the citizens. This *Report* will contribute to deepening reflection of these values.

The *Report*, drawn up by a network of experts and university academics on every continent, under the scientific direction of GRALE (Research Group on Local Administration in Europe)¹, is not intended to be exhaustive, although a majority of states around the world are examined. Among the countries that were not included in the *Report* were those with insufficient information sources and/or failed states lacking local institutions or affected by armed conflict. The *Report* focuses strictly on the municipal level (or equivalent), or the intermediate tier of government when it is the main level responsible for local government. Relations between the local level and other levels of territorial administration are also taken into account.

The *Report* takes readers through the seven regions of the world, defined in accordance with the continental sections that make up the structure of UCLG. Each chapter deals with three main themes:

- a) the evolution and development of territorial structures;
- b) powers, management and finance;
- c) local democracy.

An eighth chapter examines the forms of governance of the metropolises, where rapid growth presents significant challenges, particularly in countries of the global South and above all in Asia. This chapter is of particular interest to the metropolitan section of UCLG.

1. GRALE is an international scientific network attached to the Centre National de la Recherche Scientifique (French National Science Research Center) in Paris. It was set up in accordance with an agreement between the following French universities and other bodies: the Paris 1 Pantheon-Sorbonne University, the University of Reims-Champagne-Ardenne, l'Institut d'Etudes Politiques (the Institute of Political Studies) at Aix-en-Provence, the French Ministry of the Interior, the French National Assembly, the Inter-Ministerial Delegation on Regional Development and Competitiveness and the Compagnie Générale des Eaux. Dozens of research centres in France and abroad are members of the network. The eight specialist academic centres that are GRALE partners are: CESMO (Centre d'Etudes Stratégiques du Moyen Orient – Center for Middle-East Strategic Studies) in Lebanon, the Institute of Comparative Law and Legislation in Moscow, Russia, the Institute of Political Sciences in Bordeaux, France, the EROPA (Eastern Regional Organization for Public Administration) in the Philippines, the Partnership for Municipal Development in Benin, the Autonomous University of Mexico, the University of Birmingham in the United Kingdom, and the University of Southern California in the United States.

Drafting the *Report* raised numerous methodological and practical difficulties. In the comparative work, the terms used and above all the concepts they express often conceal different meanings and connotations that simple translation does not uncover. In-depth analyses are required, notably of the essential notions: "The *Global Report* calls for, and at the same time makes possible, an effort to clarify the essential notions," as expressed by Gérard Marcou, the scientific co-ordinator, who raises the key question as to "What do we understand by decentralization, local democracy or even local self-government?" An attempt to clarify these matters is given in the postface to the *Report*.

As the *Report* clearly shows, in the last 20 years decentralization has established itself as a political and institutional phenomenon in most countries around the world. These countries have local authorities, consisting of local assemblies elected by universal suffrage and an executive, both of which are expected, to different degrees, to respond to their citizens. As is shown by widespread legislative or constitutional reform, the global process has resulted in wider recognition of the role and position of local authorities as well as a significant increase in their powers and financing, notwithstanding the many differences between countries. The emergence of new political leadership at the local level is reflected almost everywhere in the creation of associations of elected members or local authorities in more than 130 countries (virtually all members of UCLG).

"The notions of '*autonomía local*', 'local self-government', '*Selbstverwaltung*' and '*libre administration*' have gradually become the norm in territorial administration in every region.

However, the picture that emerges from the research contains sharp contrasts. In many countries, these reforms are either very recent or are facing difficulties in their implementation. Two issues come into view of particular concern for local authorities, especially in countries of the South: financing and staff.

Hence, the fundamental issues and questions of the growing debate are: What happens to local autonomy when the level of financial autonomy is deficient or non-existent, given the tendency of central governments to absorb a larger share of the resources? What is the adequate proportion of local authorities' own resources and state transfers? What happens when interventions by higher tiers of government within the state weaken the ability of local authorities to freely choose the ways they manage their services and administrative structures? More broadly, to what extent do decentralization and subsidiarity enable local authorities and their communities to improve access to services and to work towards development? Moreover, how can we guarantee good quality services expected by citizens?

These debates explain the rising interest among local authorities and international organizations in the definition of the universal principles that serve as a reference on a worldwide scale. The approval by UN-HABITAT of the *Guidelines on Decentralization and the Strengthening of Local Authorities* in April 2007 was a major step forward in this direction, for which UCLG has worked very hard.

The *Guidelines* recognize that sustainable development is made possible by "the effective decentralization of responsibilities, policy management, decision-making authority and sufficient resources, including revenue collection authority, to local authorities, closest to, and most representative of, their constituencies." The *Guidelines* are conceived as guidance on reforms but do not impose a uniform, rigid model. The guidelines integrate notions of governance and democracy, representative democracy and participative democracy; they define the principles that govern the mandate of locally elected authorities and the powers and responsibilities of local authorities, based on subsidiarity. The *Guidelines* also call for the introduction of constitutional and legislative guarantees to

protect local autonomy and to ensure that local authorities have sufficient human and financial resources to meet their responsibilities. The *Guidelines* draw their inspiration from the *European Charter of Local Self Government*, to which the European section of UCLG contributed. The Charter, adopted in 1985 by the Council of Europe and today ratified by 46 countries, is the first document of a legal nature at an international level concerning the status and rights of local authorities².

The *Global Report* will allow the reader to consider the problems that may arise in the implementation of these principles and the way in which these difficulties may be surmounted. We therefore invite local authorities and their national, regional and international associations to engage in action with UCLG in order to:

- Circulate this *Report* and to press ahead with the dialogue with states on the implementation of the *Guidelines on Decentralization and the Strengthening of Local Authorities*.
- Ask national governments to support the adoption of the *Guidelines on Decentralization and the Strengthening of Local Authorities* by the General Assembly of the United Nations.
- Ensure that the principles of the *Guidelines* are supported by the regional institutions in every continent, thereby contributing to their implementation by member states.
- Contribute to furthering global reflection on local government systems of financing and management of human resources, which UCLG intends to pursue.

We would like to thank the experts and university academics who have contributed to this *Report*, in particular GRALE, which has co-ordinated the work and ensured the scientific quality of the project as a whole.

Mention must also be made of the support given by UCLG's regional and metropolitan sections, which, through their secretariats, have constantly defended the direction and approach of the project.

We would also like to express our gratitude to those institutions and local authorities that have contributed to the production of this *Report*, in particular the *Generalitat de Catalunya*, for their continued support throughout the project, the *Diputació de Barcelona*, the *Conseil Régional du Pays de la Loire* and the *Groupe DEXIA*.

Without the commitment and collaboration of all these partners, the *Report* would not have been possible.

World Secretariat
United Cities and
Local Governments

2. The *European Charter of Local Self-Government* focuses mainly on the following principles:

- Regulation and management of a substantial share of public affairs by local authorities, through local elected representatives and citizen participation;
- Right of local authorities to exercise their initiatives with regard to any matter included in their powers and responsibilities and not assigned to any other authority;
- Selection and recruitment of local government staff according to merit and competence;
- Conditions of office of local elected representatives to allow free exercise of their functions;
- Local authorities' financial resources to correspond to the responsibilities determined by the constitution and law, of which they may dispose freely within the framework of their powers;
- Administrative supervision of local authorities only to be carried out according to procedures determined by the constitution or by statute;
- Entitlement of local authorities to belong to an association for the protection and promotion of their common interests;
- Legal protection of local self-government