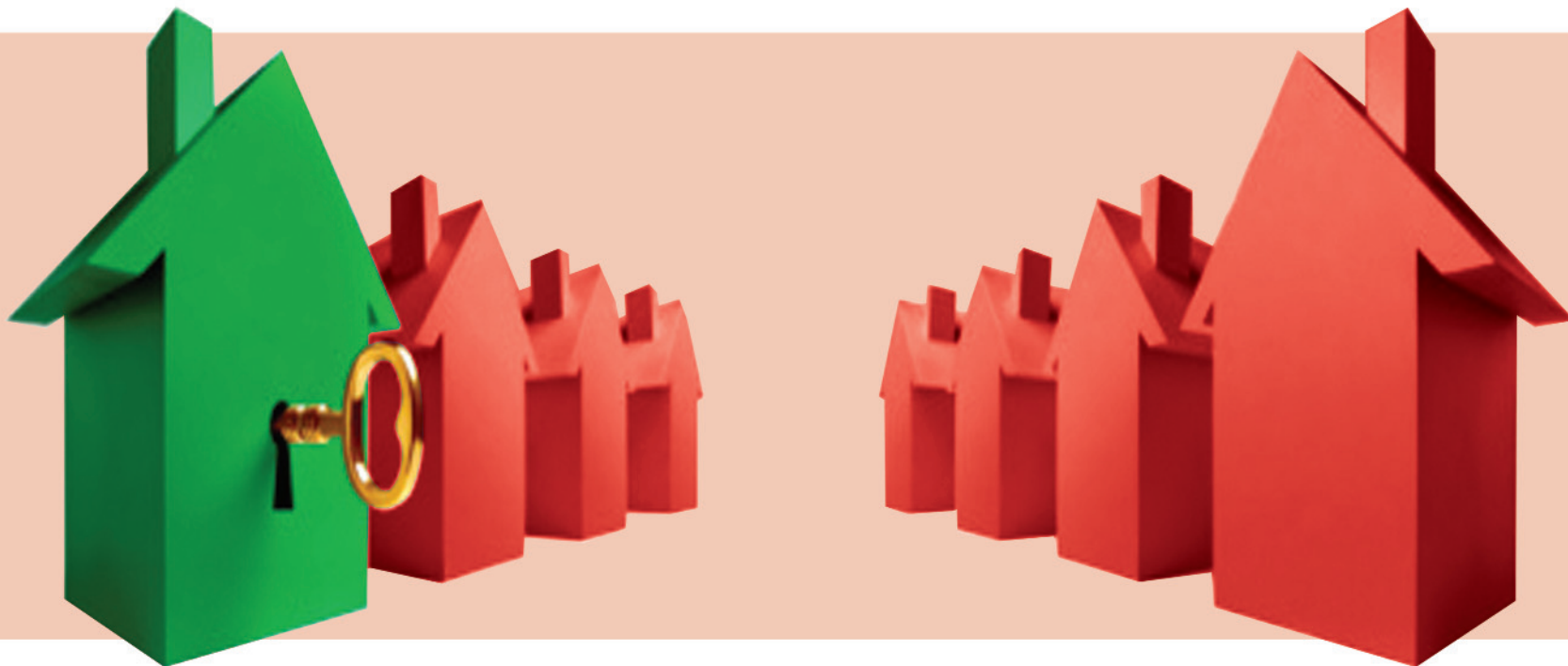




CENTER FOR
DEMOCRATIC
TRANSITION



OPEN SOCIETY INSTITUTE



Transparency and Good Governance at Local Level

Final Research Findings of Project POTEZ with Examples of Good Practice



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Project is financed by:



Podgorica, November 2011

IMPRESSUM

PUBLICATION

Transparency and Good Governance at Local Level

PUBLISHER

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PRINTING

AP Print, Podgorica

CIRCULATION

500

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1. INTRODUCTION

In October 2010, Center for Democratic Transition (CDT) started the implementation of POTEZ, i.e. Project on Responsible, Transparent and Efficient Communities. The Project is being implemented with the financial support from the Local Government and Public Service Reform Initiative of the Foundation Open Society Institute, Budapest and with the expert support from the partner GONG NGO from Croatia. POTEZ is aimed at one of the key democratization challenges in Montenegro, namely at establishing the principles and rules of good governance at local level. The Project has been devised to evaluate the condition and to monitor the progress in the implementation of good governance standards by Montenegrin municipalities through measuring and analyzing the progress of municipalities in several areas. The general objective of POTEZ is to contribute to an increase in the transparency, accountability and efficiency of local governments in Montenegro, via evaluating the levels of transparency both in the documents regulating the functions of municipalities and in their respective practices.

Data are gathered from all local self-governments of Montenegro (21 total). In addition to data gathering and an analysis of the situation, the aim of the Project is to establish standards and criteria intended for both the evaluation of transparency and the drawing up of recommendations for transparency in functioning of local self-government units (LSGU) to be increased, which recommendations should serve the very LSGUs in improving their respective methods of functioning, cooperation with civil society and communication with citizens.

In July 2011, we presented the preliminary outcomes of our research showing the data - gathered during May and June - on all the Montenegrin local self-government units (LSGU). The results were not satisfactory since they revealed that, according to the transparency indicators of our research, more than a half of municipalities lacked transparency. Therefore, CDT's representatives appealed to the municipalities to remedy the existing situation within the following three months (i.e. by October 10, 2011) and to inform the Project Team of any changes. For easier acquainting local authorities with both the Project and the transparency-related indicators, we developed also the Web Site www.potez.cdtmn.org, where the entire Project related information and the research outcomes shown by municipalities could be found. That was a simple way for local self-government units to find guidelines and recommendations to improve their transparency.

We can say with pleasure that local self-government units recognized the importance of the Project and that even 14 local self-government units (two thirds out of the total number) contacted us within the agreed deadline and expressed their readiness to accept the transparency-related indicators employed by our research. What is important to emphasize is that they not only expressed their readiness, but also made particular positive steps forward, as well as that it is possible to note easily - from the comparison of preliminary and final outcomes - a progress reached thanks to POTEZ. Unfortunately, there are also

municipalities - namely Andrijevica, Berane, Kolašin, Nikšić, Plav, Pljevlja and Rožaje - that did not contact CDT by October 10th.

The present Final Report is based on the preliminary report of July 2011, but it has been significantly extended in analytical and interpretative senses to include detail review of data and examples of good practices we observed during the research. The data intended for the Final Report was gathered as of the date of the preliminary press conference (July 16, 2011) all through October 25th, 2011.

2. METHODOLOGY

2.1. Research methodology

The research methodology was developed for the purposes of LOTUS 2009 Project implemented by GONG NGO from Croatia. The LOTUS methodology served us as a basis for the development of our own methodology; consequently, POTEZ reporting methodology and concept rely on LOTUS. Taking into account that Montenegro and Croatia are countries with similar respective legislative frameworks and local government traditions, it is possible to make comparisons of the results of the two researches.

The very preparation of the research required operationalization of the transparency concept into a series of measurable indicators. Since we did not use all possible indicators during the research, we selected the ones we considered as important to the existing level of democracy development in LSGUs in Montenegro.

As same as in the case of Croatia, the transparency in functioning of local self-governments during the research was perceived in somewhat broader sense of the **overall openness of local self-government authorities to citizens and stakeholder groups**. Therefore, we researched five dimensions of local self-government transparency:

- 1- Transparency of the meetings of Municipal Councils,
- 2- Openness of decision-making by local self-government units,
- 3- Cooperation with civil society organizations,

- 4- Enforcement of the Law on the Free Access to Information, and
- 5- Functioning of local communities.

The first two dimensions, i.e. Transparency of the Meetings of Municipal Councils and the Openness of Decision-Making by Local Self-Government Units, indicate that the functioning of local government authorities is transparent, while primarily with reference to the existence and usage of documented procedures serving the purposes of making citizens, the media and other stakeholders informed. The said two dimensions are considered by us as the most relevant ones to the research because they provide citizens with an examination of the basic decisions made and activities undertaken by LSGUs. Obedience to the Law on Free Access to Information, as to an instrument that ensures availability of all pieces of information to stakeholders upon a written request is in relation thereto. Cooperation with Civil Society Organizations dimension measures the readiness of LSGUs' authorities to involve, in their decision-making processes, civil society organizations representing the interested citizens associations. In the same sense, we measure also the requirements for a ordinary functioning of local communities, since the level of the development of local communities self-government is related to a possibility of citizens' influence on political processes in their immediate surroundings.

For the purposes of the research, those 5 dimensions were operationalized by means of 44 indicators (*Appendix No. 6.1*). The number of indicators per dimension varied and it ranged from 17 used for the Openness of Decision-Making by LSGUs to 3 used for Functioning of Local Communities. Certain

number of indicators (21) constituted the Internet-related ones, meaning that the availability of certain documents and pieces of information on municipal Web Sites were measured (*Table # 1*). If met, each indicator was assigned one point. Otherwise, it was assigned 0 point. Dimensions carried different significance within the overall result, whereas some of them were weighted as more relevant to the goal of the research, while those weighted as less significant ones indicated an official obedience to regulations without

a possibility to examine their direct application by means of the research concerned. By weighting the results reached in each of the dimensions, the overall result reached by LSGUs was obtained. Maximum possible number of points was $((14/14)*3,7+(17/17)*4,5+(5/5)*1+(5/5)*0,5+(3/3)*0,3=10)^1$.

Dimensions, number of indicators and weights are given in the Table below:

Table # 1: Dimensions, number of indicators and weights per dimension

DIMENSION	NUMBER OF INDICATORS	INTERNET	WEIGHT PER DIMENSION
Transparency of the Meetings of Municipal Councils	14	5	3,7 (37%)
Openness of Decision-Making by Local Self-Government Units	17	10	4,5 (45%)
Cooperation with Civil Society Organizations	5	1	1 (10%)
Enforcement of the Law on the Free Access to Information	5	4	0,5 (5%)
Local Communities	3	1	0,3 (3%)
TOTAL	44	21	10 (100%)

Data was gathered in different manners: by analyzing the respective Municipal Statutes and Municipal Council Rules of Procedures, by means of the Questionnaire that was addressed to each Municipality; by means of searching through official Web Sites of Municipalities; and by means of direct telephone calls.

The examination of Statutes and Rules of Procedures checked the existence of documented procedures ensuring the openness of local self-governments functioning. The pieces of information that cannot be found

either on the Web Sites or in relevant documents were gathered by means of the short Questionnaire forwarded to each Municipality. Out of 44 indicators total, 21 (48%) referred to the pieces of information available at the official municipal Web Sites. Regardless we were aware that the three (3) municipalities (namely Plav, Rožaje and Šavnik) that did not have their respective active Web Sites thereby lost a large number of potential points, we considered – from the technological development point of view - that it was not possible to justify the absence of official Web Sites by a lack of funds and that the absence thereof spoke in favor of the non-trans-

¹ $(14/14)*3,7+(17/17)*4,5+(5/5)*1+(5/5)*0,5+(3/3)*0,3=10$ – The maximum possible number of points in each dimension (14 for the first dimension) is divided by the number of indicators used for the dimension concerned (14 for the first dimension) and then multiplied by the weight of that particular dimensions (3.7 for the first dimension). The multiplication totals derived in such manner are added. Thus, if a municipality met all the indicators, the grade would be 10.

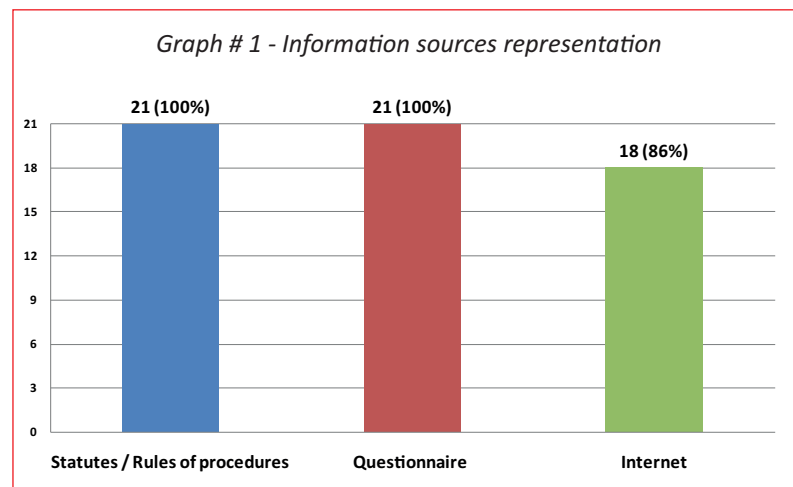
parency of those municipalities. We hope that the present research findings will encourage the foregoing municipalities to use the Internet. Data gathered from the Internet referred mainly to providing citizens with pieces of information of the most important decisions made by local self-government authorities and to the availability of the most fundamental local self-government units' documents. We must emphasize that Ulcinj and Plužine did not have their respective active Web Sites at the time of publishing the preliminary research outcomes, but that they have developed them meanwhile and, thereby, they have given a clear sign that authoritative of Ulcinj and Plužine have become more transparent. One indicator used for the Enforcement of the Law on Free Access to Information dimension (availability of the first and family names of the officials in charge of acting upon requests for free access to information) referred to a direct telephone call given to each municipality.

2.2. Data gathering process

We found the Statutes and the Rules of Procedures of Municipal Councils - being as the basic documents governing functioning of local self-governments - of all 21 municipalities in the Official Gazzette of Montenegro or on the respective municipal Web Sites. The Questionnaire was originally distributed to all municipalities on April 26th, together with a Letter addressed to their respective Mayors / Managers. The Letter described briefly the purpose of the Project and indicated May 16th as the deadline for data provision. Actually, we did not require pieces of information via requests for free access to information, but by means of an ordinary letters. This was because also the check of the readiness of municipalities to respond voluntarily to citizens' inquiries was of paramount relevance to the transparency evaluation. At the same time, contacting of LSGUs started, in order to remind them of the significance of filling in the Questionnaire within the stated deadline. In several cases, we repeated sending the

Questionnaire upon request. Taking into account the fact that a considerable number of LSGUs had failed to send back the Questionnaire completed within the fixed deadline, we continued with phone calls all until the end of the research. Two local self-government units (Podgorica and Šavnik) did not send the pieces of information required by the Questionnaire until the closure of the preliminary research. Upon the presentation of the preliminary research outcomes to the public, Podgorica, Administrative Capital and Šavnik Municipality sent the information required by the Questionnaire within the stated deadline, i.e. until October 10th.

We managed to gather all 21 municipalities' Statutes and Rules of Procedures of Municipal Councils, as well as the responses from the Questionnaire by the closure of the final research. Three municipalities (14% of LSGUs) do not have their respective official Web Sites. Percentages of information sources representation is given under *Graph # 1*.



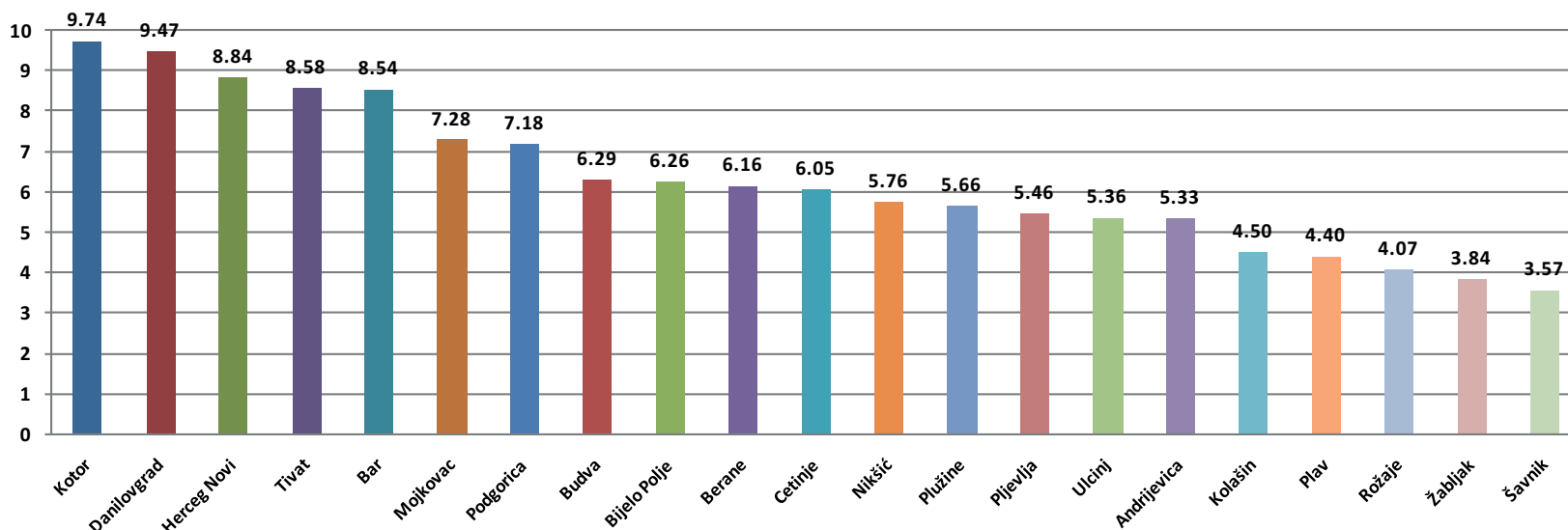
3. FINAL OUTCOMES

3.1. Overall outcomes

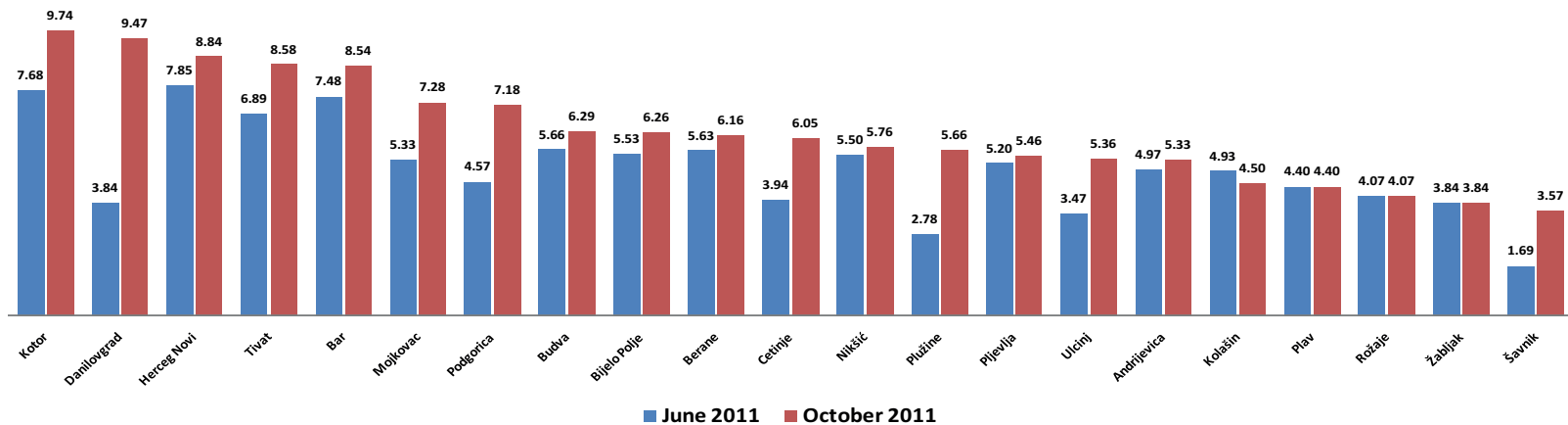
The highest possible result achievable by municipalities during the research was 10. **The highest result reached is 9.74 (Kotor Municipality), with 3.57**

as the lowest one (Šavnik Municipality), whereas the average was 6.30. As compared to the preliminary outcomes, the average result of municipalities has progressed from 5.01 to 6.30. *Graph # 2* illustrates the ranking of LSGUs by total results reached in the final research.

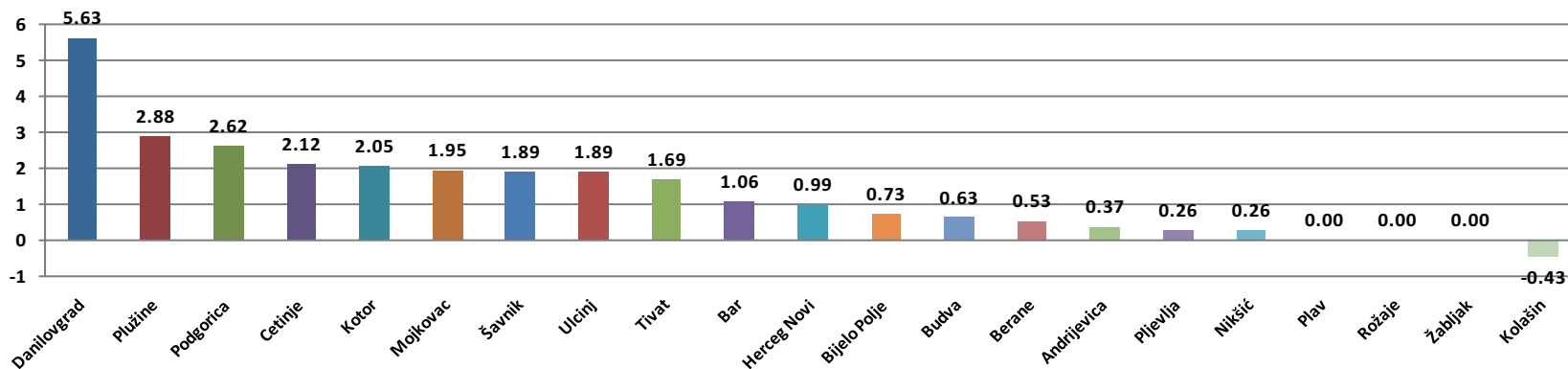
Graph # 2 - Ranking of LSGUs



Graph # 3 - Comparison of results reached by municipalities (June to October 2011)



Graph # 4 - Difference between outcomes of two researches, per municipality

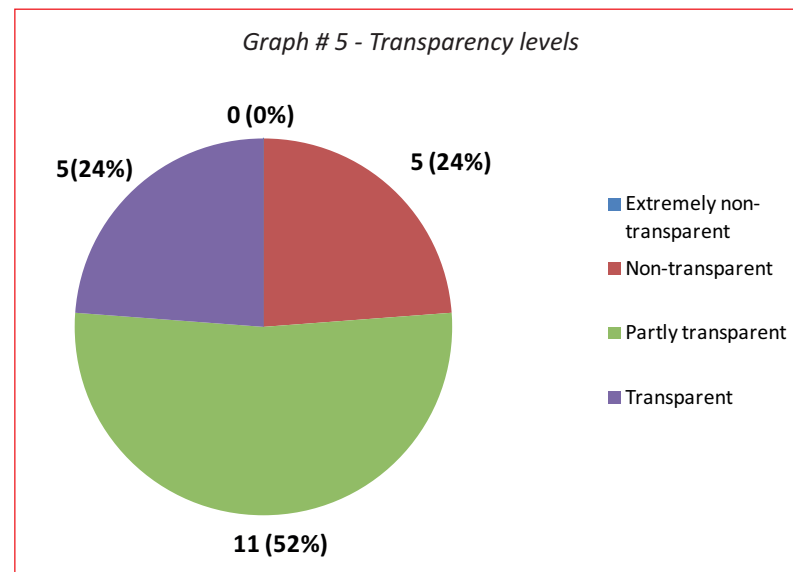


If we compare the progresses made by municipalities between July and October 2011, we will note that the best progress was made by Danilovgrad Municipality (5.63 points), which actually has triplicated (from 3.84 to 9.47) its overall result on our ranking list. After Danilovgrad, the second best position belongs to Plužine, from 2.78 to 5.66. The comparison of results reached by municipalities in June and in October respectively is shown in *Graph # 3*, whereas the difference in overall results reached by municipalities is illustrated in *Graph # 4*.

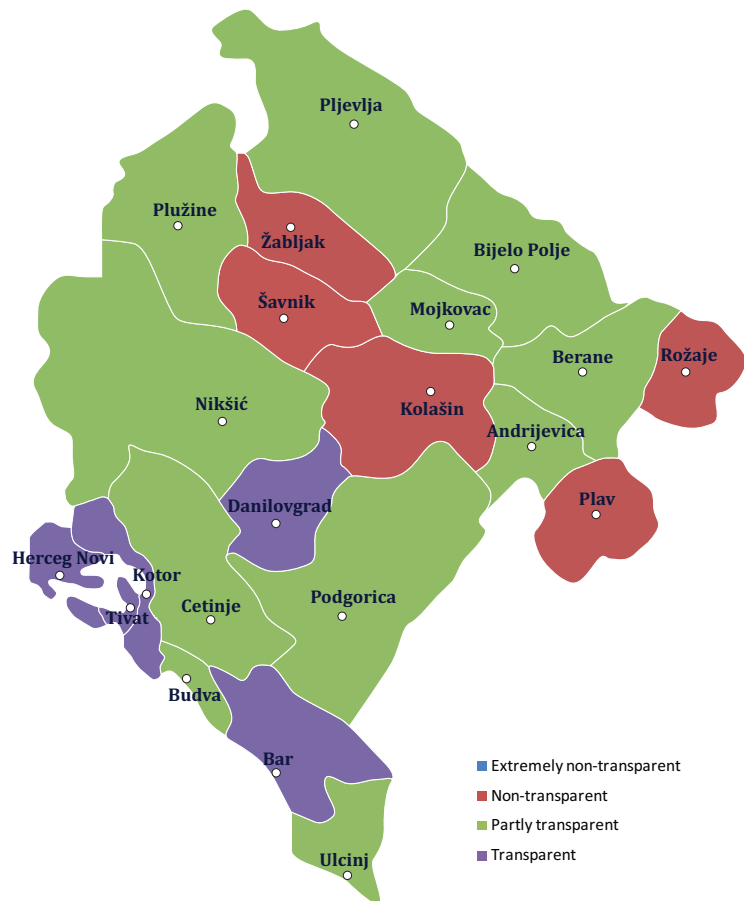
Such a progress over only three-month long period has shown that POTEZ not only identified the fundamental issues concerning the transparency in local self-government units' operations, but also acted in a meaningful manner in order to eliminate the identified shortages. Besides, it is possible to conclude that LSGUs' transparency improvement does not require allocating so much money, but requires both raising the awareness of the importance of the very principle of transparency in the functioning of local authorities and their respective good faith to get closer to citizens. CDT Project Team is pleased that they managed to establish an excellent communication with the majority of Montenegrin municipalities. Here we must accentuate that it is due to a good faith shown by LSGUs to remedy the existing situation. Taking into account that *Graph # 4* displays that Kolašin Municipality is the only one which lost almost a half of point over the three-month period, we have to point out that CDT researchers have noted that the Web Site of the Municipality concerned is under reconstruction and that some of the documents were lost in the interval between the preliminary and final research. However, with the idea in mind that the reconstruction of the Web Site is most probably intended for the transparency improvement, we are hoping that the Web Site of the foregoing Municipality will be significantly better very soon. In the end, we are here commending Ulcinj Municipality for constructing the official Web Site in the meantime, causing thereby its almost two-point

progress in the overall results. The same is when it comes to Plužine Municipality that reached nearly 3-point progress thanks to the development of the Web Page.

The entire scale of the reached scores is divided into four categories: Municipalities extremely non-transparent (the ones with the score lower than 2.5 points), non-transparent municipalities (the ones with the score ranging between 2.5 and 5 points), partly transparent municipalities (the score ranging between 5 and 7.5 points), and transparent municipalities (the score ranging between 7.5 and 10 points). The results reached by Montenegrin municipalities, according to the foregoing transparency categorization, are given under *Graph # 5*.



Transparency of LSGUs in Mntenegro

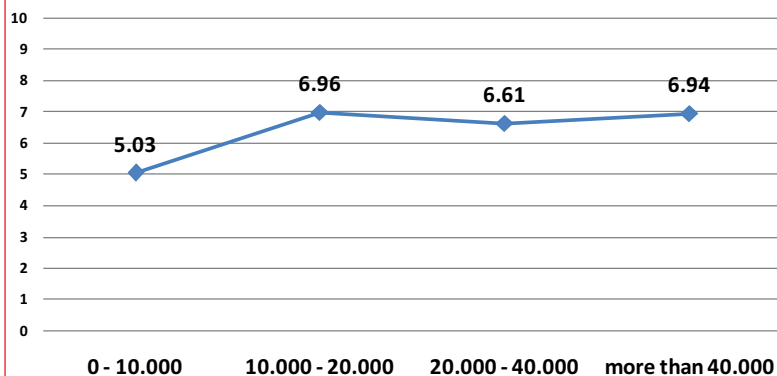


Thanks to the progress municipalities reached until the final research, the situation has changed significantly. It can be concluded from *Graph # 5* that there is no extremely non-transparent municipality in Montenegro (Šavnik Municipality was the one previously), whereas there are 5 (24%) non-transparent municipalities, namely Kolašin, Plav, Rožaje, Žabljak and Šavnik. Eleven (52%), municipalities, namely Mojkovac, Podgorica, Budva, Bijelo Polje, Berane, Cetinje, Nikšić, Plužine, Pljevlja, Ulcinj and Andrijevica, are partly transparent. These are the municipalities that can be considered as transparent in certain areas; however, they should definitely make more efforts in getting closer to their respective citizens. There are 5 (24%) transparent municipalities, namely Kotor, Danilovgrad, Herceg Novi, Tivat and Bar. If we make a comparison, we can see that the preliminary research outcomes showed 11 LSGUs with less than 5 points, whereas that number is now reduced to five LSGUs. Besides, we considered Kotor and Herceg Novi as transparent municipalities, and we have Danilovgrad, Tivat and Bar among them now.

If we compare the overall result reached by a local self-government during the final research and the size of the local self-government unit, namely the number of inhabitants in it, we can make a conclusion that transparency is not conditioned directly on the LSGU size, i.e. on the number of inhabitants given under the 2011 Census. Out of the five transparent municipalities (Kotor, Danilovgrad, Herceg Novi, Tivat and Bar) that reached more than 7.5 points within the aggregate results, three are the municipalities with 20,000 to 50,000 inhabitants (Kotor, Herceg Novi and Bar). Danilovgrad and Tivat have even less than 20,000 inhabitants, and they attained excellent results during the final research. On the other hand, if we take into consideration the results of the three biggest local self-government units in Montenegro (Podgorica, Nikšić and Bijelo Polje), we can note that, according to the results, they belong to the category of partly transparent municipalities, with Nikšić Municipality that attained the result lower than the average total (6,30), i.e. 5.76.

Graph # 6 displays the ratio of the overall results to the number of inhabitants per local self-government unit. The Graph cannot substantiate a conclusion that the size of local self-government is related directly to the transparency in its functioning, since the best average result is attained by the LSGUs with 10,000 to 20,000 inhabitants.

Graph # 6 - Ratio of the overall results to the number of inhabitants in LSGUs

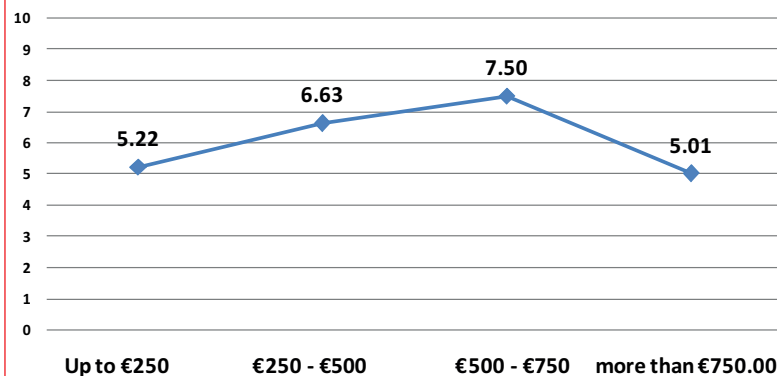


Budget amount per capita does not have a direct impact on the transparency level, which statement is substantiated if we take into account the result attained by several municipalities with the highest per capita budget amount. Budva Municipality, which is certainly with highest budget amount per capita (€3,012.21), attained the results slightly above the average, i.e. 6.29. Šavnik Municipality, which takes the 4th place based on the budget amount per capita (€818.44), attained the worst result during the research (3.57). On the other hand, budget amount per capita in Danilov-

grad is only €277.18, and that Municipality takes the second transparent municipality position with the high result of 9.47. The lists of municipalities ranked per the number of inhabitants and the per capita budget amount can be found in the *Appendix No. 6.2* to the present Report.

Graph # 7 shows the ratio of results and budget amount per capita in LSGUs. Here, again, it is obvious that the budget amount per capita does not condition the transparency of LSGUs, taking into account that LSGUs with the highest budget amount per capita (more than €750) reached the average result of only 5.01 on the scale of 0 to 10.

Graph # 7 - Ratio of results to budget amount per capita in LSGUs



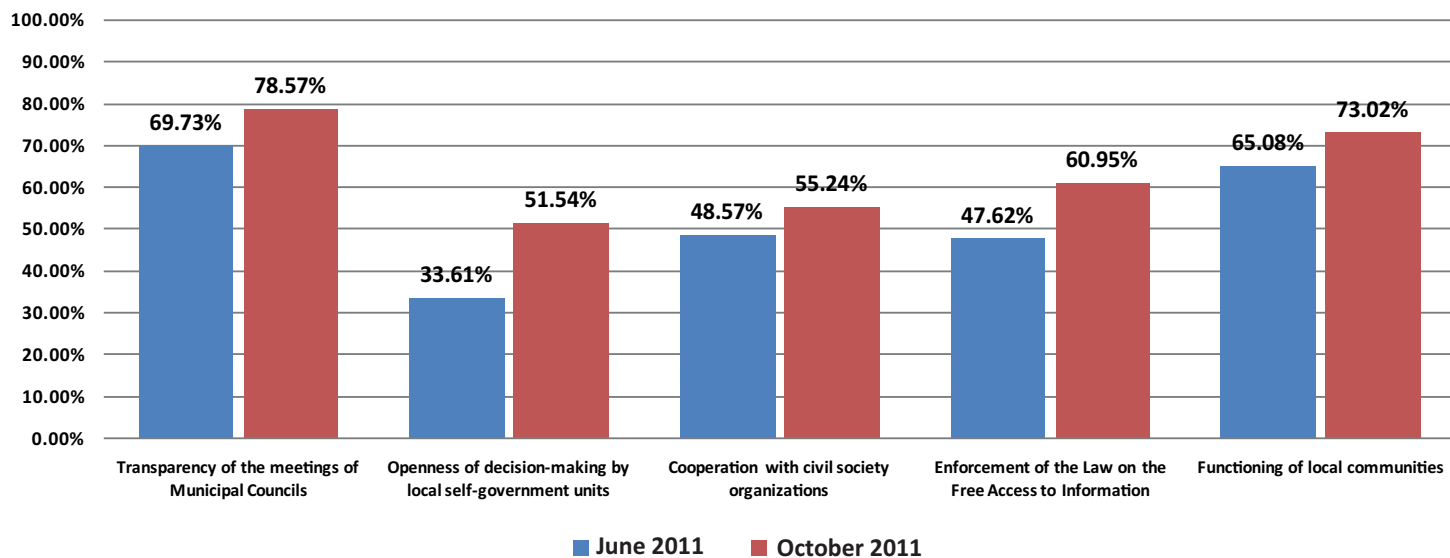
3.2. Results based on transparency dimensions

Individual outcomes in the five transparency dimensions have been obtained through dividing the total number of points attained by local self-government units inside a dimension by the maximum number of points attainable by all the local self-government units

in the dimension concerned². A further analysis shows those results as percentages.

If we take into account the points reached in the said dimensions, the local self-government units reached the best average score in the Transparency of the Meetings of Municipal Councils (78.57% of the attainable points)

Graph # 8 - Comparison of percentage points reached per dimensions (June - October 2011)



² For example, Transparency of the Meetings of Municipal Councils shows the sum of points of attained by all LSGUs, i.e. 231, whereas the maximum number of points is 294 (derived from multiplying the number of LSGUs by the maximum attainable number of points in that dimension ($21 \times 14 = 294$), meaning that the percentage point attained in the said dimension is 78.57%.

and Functioning of Local Communities (73.02% of the attainable points) dimensions respectively, with the Enforcement of the Law on the Free Access to Information (60.95% of the attainable points) and Cooperation with Civil Society Organizations (55.24% of the attainable points) dimensions following them respectively. The lowest score (51.54% of the attainable points) was reached in the Openness of Decision-Making by Local Self-Government Units. Percentage points reached per dimension are shown in *Graph # 8*.

An encouraging finding is that, during the final research, all dimensions showed an increase in results and that the aggregate score attained in each category exceeded 50%. As compared to the preliminary outcomes, the best prorogues took place in the Openness of Decision-Making by Local Self-Government Units dimension (from 33.61% to 51.54% of the attainable points). This particularly important data has reflected that certain number of local self-government units made some of the documents of the highest importance to the community life more accessible to the public. Nevertheless, the fact that local self-government units are still least transparent in the said dimension (only 51.54% of the attainable points reached) speaks clearly of the necessity of a further improvement to be made by local self-government units in their openness to citizens. The Graph mirrors that the Cooperation with Civil Society Organizations and the Enforcement of the Law on Free Access to Information dimensions respectively have enough space for a further improvement.

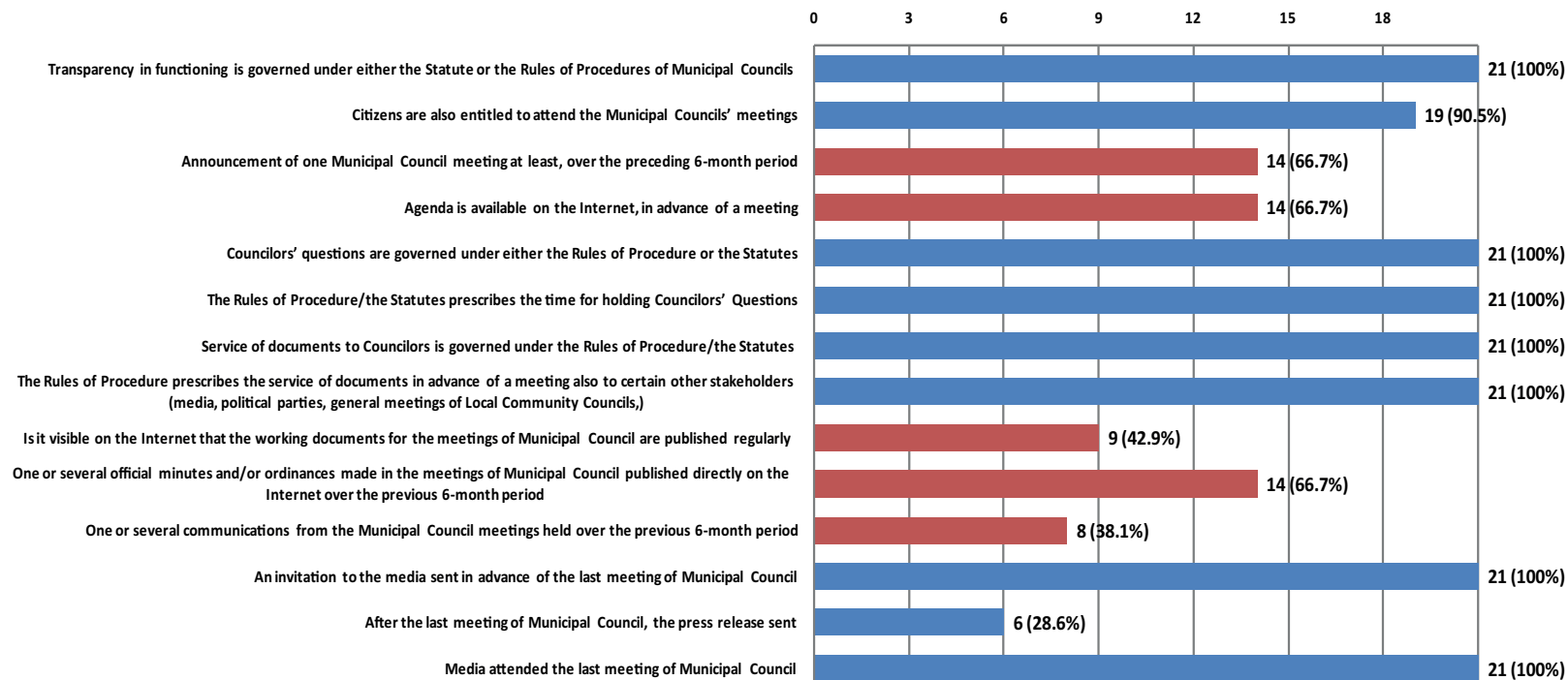
3.2.1 Results attained in the Transparency of the Meetings of Municipal Councils dimension

LSGUs attained 78.57% out of the total attainable points in this dimension, with results per indicator displayed in *Graph # 9* below (Internet-related indicators are given in red).

The majority of LSGUs met almost all this dimension-related indicators, which imply the existence of formal mechanisms for ensuring the transparency in the functioning of Municipal Councils. However, it is obvious that Internet-related indicators were met at a considerable lower level. For example, even in one third (33.3%) of the municipalities, the meetings concerned were not announced in advance on the municipal Web Sites, whereas only in 9 municipalities (42.9%) working documents for meetings were available on the Internet. It is necessary to emphasize here that, in case of the availability of meetings-related working documents on the Internet; we assigned a point even to those municipalities that posted, occasionally, some of draft ordinances that would be on the agenda of the Municipal Council meeting. **Therefore, we are emphasizing that only two municipalities, namely Bar and Herceg Novi, publish agendas together with working documents in a systematized and well-arranged manner. We believe that they should be commended particularly, as well as that they should serve as a model to all other LSGUs in relation to that matter.** All the foregoing is of paramount importance, because, regardless of the formal right of citizens to attend the meetings concerned in 19 (90.5%) municipalities, the issue of whether they could exercise that right in reality if they do not have a chance to get timely information of the topics to be discussed in the meetings of Municipal Councils remains. Only in 8 (38.1%) municipalities, communications after the Municipal Councils' meetings are posted on the Internet. A slightly higher percentage refers to making the ordinances made in such meetings public (66.7%, or in 14 LSGUs). **Here, again, we comment on systematizing the Web Sites with taking into account that out of 14 LSGUs that publish their respective Municipal Councils' ordinances only 8 LSGUs do that in an coherent manner.**

Finally, all LSGUs sent the invitation for the last meetings of their respective Municipal Councils to the media, and the representatives of the media concerned were present in such meetings. Nevertheless, only 6 LSGUs (28.6%)

Graph # 9 - Results per indicators in Transparency of the Meetings of Municipal Councils dimension



sent their respective press releases after the meeting. The reason for the failure to send the press releases, as stated under the Questionnaire by some of LSGUs, was the very presence of the media in the Municipal Council meetings and/or the fact that certain local media broadcast them directly. We believe that sending a press release after a meeting is proactive action of any Municipal

Council, which action serves informing the citizens by means of the media. Therefore, we consider the said action of paramount importance regardless of whether certain media were present or they broadcast the meeting concerned – meaning that informing of citizens must not depend on either the presence or the absence of journalists in a meeting. When it comes to a

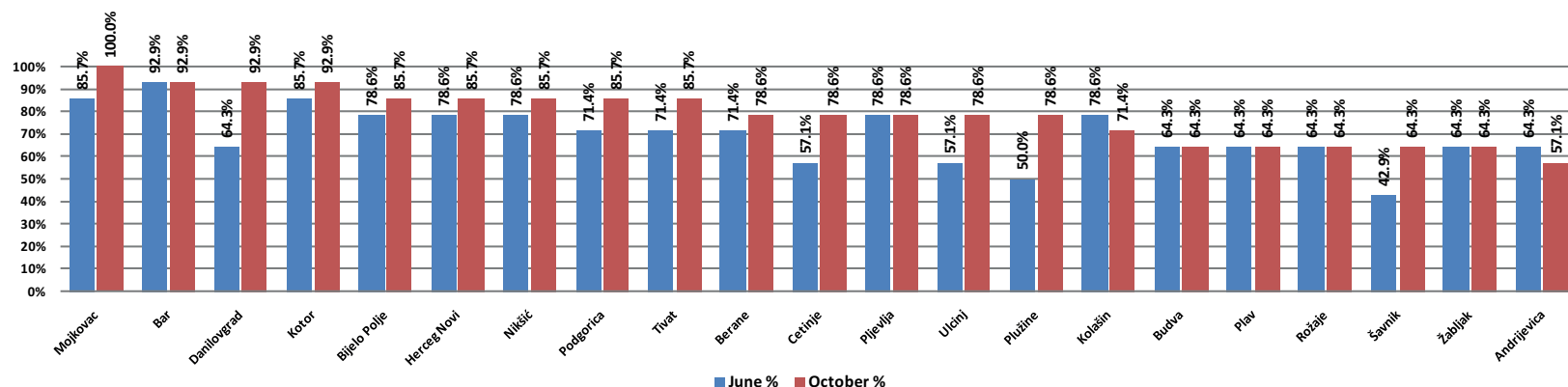
direct broadcast of a meeting on any of the media - regardless it is for sure an example of good practice that should be continued for the purposes of citizens to be better informed - such a practice is not sufficient if informing all those that are not in a situation to watch/listen to such broadcast at the given time is not ensured.

As compared to the preliminary outcomes, LSGUs made the best progress in publishing their respective Municipal Councils meetings-related an-

nouncements and agendas, as well as the approved ordinances made in the meetings of Municipal Councils.

Graph # 10 displays the percentage of points gained by each of Montenegrin LSGUs in the dimension concerned. Mojkovac, Bar, Danilovgrad and Kotor gained more than 90% of points in this dimension and they are the leaders in the Transparency of the Meetings of Municipal Councils dimension.

Graph #10 - Transparency of the Meetings of Municipal Councils (% of the points gained per municipality)



GOOD PRACTICE

Bar Municipality is an example of good practice in the Transparency of the Meetings of Municipal Councils dimension. The said Municipality met all the official requirements for ensuring the transparency in the functioning of its Municipal Council pursuant to its Statutes, i.e. pursuant to the Rules of Procedure of Municipal Council. The transparency in functioning is governed first under the Statutes / the Rules of Procedure, which prescribes explicitly that citizens shall be entitled to attend the Municipal Council meetings. Besides, the Councilors' Questions and service of documents to Councilors and other stakeholders in advance of a meeting are governed officially by the Rules of Procedure. For the sake of providing the citizens with an easy access to ordinances and documents made/discussed in the meetings of Municipal Council, Bar Municipality publishes all the relevant documents, including also meeting announcements, agendas and documents to be used in such announced meetings on its Web Site. In addition, Bar Municipality publishes ordinances and communications resulted from the held meetings of Municipal Council. What is actually necessary to emphasize here is that there are other municipalities that publish the foregoing documents on their respective Web Sites, but they do not do that in a systematized and coherent manner.

In addition to Bar Municipality, also **Herceg Novi Municipality** can boast about coherently presented documents relating to the meetings of Municipal Council, given that its Web Site contains clearly separated documents intended for the future meetings and the ordinances made in already held meetings. **Kotor Municipality** does not have logically arranged working documents, but has the ordinances made in already held meetings of Municipal Council posted on its Web Site. The same situation is when it comes to **Tivat Municipality**. We hereby are drawing an attention to the importance of the Internet as to one of the media ensuring that citizens have the easiest access to information. It is, therefore, of paramount significance that LSGUs have in mind that Web Sites are intended exactly for citizens to provide them with timely information of the meetings of Municipal Councils, in order to ensure the implementation of the official mechanisms identified and governed under the respective Statutes and/or the Rules of Procedures of Municipal Councils.

3.2.2. Results attained in the Openness of Decision-Making by Local Self-Government Units dimension

LSGUs reached the lowest results in this dimension, meaning only 51.54% of the attainable points. Results per indicator are given in *Graph # 11* (Internet-related indicators are given in red).

Observed in general, 10 out of 17 indicators used for this dimension refer to the lower-than-average results attained by municipalities (the average being 51.54% in this dimension). The results have revealed that some fundamental documents of LSGUs are (not) available on the Web Sites or in any other manner to citizens. **With the exception of the Statutes of Municipalities (that are made available by 16 (76.2%) LSGUs), other fundamental documents**

are available in lower percentages (the Rules of Procedures of Municipal Councils of 12 (57.1%) municipalities; the Budgets of 10 (47.6%) municipalities; the decisions made by Mayors/Managers of 11 (52.4%) municipalities are available on the respective municipal Web Sites). **If decisions/ordinances and the key documents are not available on the Web Sites, citizens have to make additional efforts in order to examine the said documents, which in practice means that informing them is made difficult and, thereby, an immediate control over local authorities as well.** The situation is as same as the one relating to some other documents. **The 2010 Annual Statements of Accounts are available on the Web Sites of 9 (42.9%) LSGUs.** Regardless the law prescribes the publishing of Annual Statements of Accounts in the Official Gazette only, we consider necessary to post them also on the municipal Web Sites for the purposes of an immediate control over local authorities by citi-

Graph # 11 - Results per indicator in Openness of Decision-Making by Local Self-Government Units dimension



zens. **GUPs** are available on the Internet in 7 (33.3%) LSGUs and **DUPs** are available in 8 (38.1%) LSGUs. We measured whether municipalities published public procurement invitations and decisions on granting contracts based on such public procurement invitation on their respective Web Sites, having in mind the importance of transparency principle during the public procurement process to the diminishing of corrupt practices. The results are poor,

because less than a half of the total number of LSGUs published at least one invitation over the preceding year, i.e. 10 (47.6%) of them, with only 6 (28.6%) LSGUs that published decisions on granting contracts based on public procurement invitations. Besides, we are emphasizing our concern about the data revealing that in 11 (52.4%) LSGUs no time has been fixed for the reception of citizens by their Mayors/Managers. It is necessary to accentuate

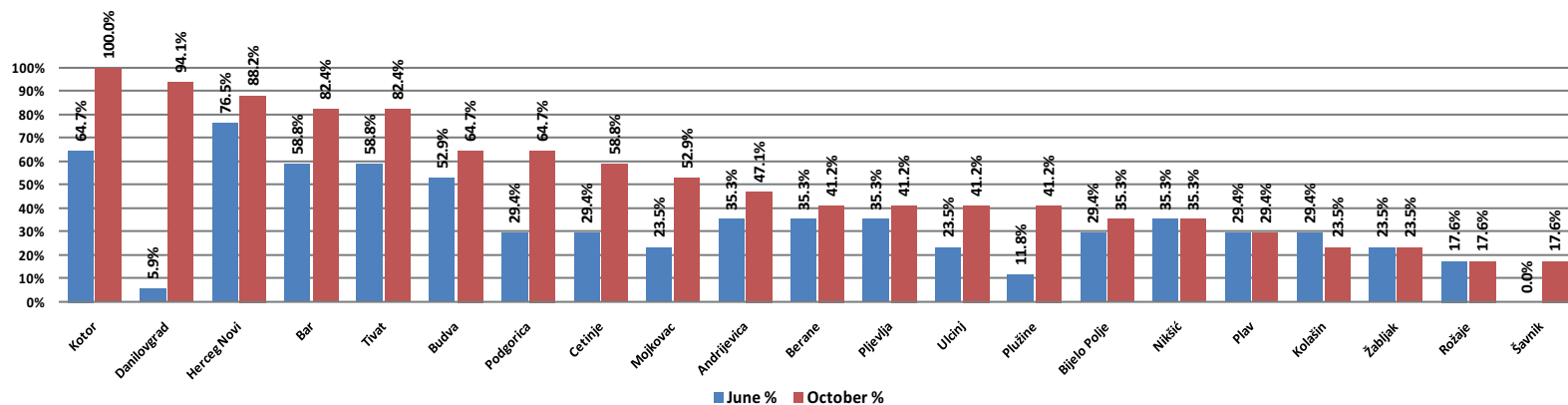
here also that we did not accept the “everyday reception” or “upon the requests of citizens” as positive answers, since we considered and consider that a direct contact with a Municipal Mayor/Manager must neither depend on his/her personal preferences nor lose its importance as compared with other duties.

As compared to the preliminary research outcomes, municipalities have made the best progress in this dimension. However, the openness of decision-making by local self-government units remains the most challenging area if we take into account 51.54% of the points gained. In the interval between the preliminary research and the final one, more than a double number of LSGUs with published at least one decision made by the Municipal Mayor/Manager, over the preceding 6-month period, emerged, followed by significantly increased number of LSGUs with their respective

urban planning documents available either on the Internet or via a direct examination thereof in their business premises. Besides, the preliminary research outcomes revealed that not a single municipality published decisions on granting contracts based on public procurement procedures, whereas we can see now that 6 LSGUs introduced the practice meanwhile. Finally, as of July to October 2011, two municipalities made available to citizens the document containing additional pieces of information of the Budget, with the aim to make the Budget more coherent and more comprehensible to ordinary citizens and to make, thereby, the citizens more interested in both the Budget enforcement and the participation in local community life.

Graph # 12 displays the percentage of the points gained in this dimension by each LSGU in Montenegro. Kotor, Danilovgrad and Herceg Novi are the municipalities with highest percentages.

Graph # 12 - Openness of Decision-Making by Local Self-Government Units (% of the gained points per municipality)



GOOD PRACTICE

Kotor Municipality is the only Montenegrin municipality that met all the indicators in this particular dimension, although we must emphasize that its Web Site should be better arranged - taking into consideration the volume of important documents published by the said municipality. Kotor Municipality is the first Montenegrin municipality that has provided citizens with a better comprehension of any current year Budget via publishing the “Easy-to-Understand Budget”. The second one in this respect is **Danilovgrad** Municipality. They are the only two LSGUs that make available additional pieces of information of the Budget to citizens, and this is for sure a good practice model to be followed by other LSGUs as well.

Herceg Novi Municipality can boast about the level of the visibility of ordinances made in its LSGU. Namely, this Municipality publishes on its Web Site all the important documents such as the Statutes of the Municipality; the Rules of Procedure of Municipal Council; decisions made by the Mayor / Manager ; the 2011 Budget; the 2010 Annual Statement of Accounts; Extracts from the GUPs and DUPs. We put particular emphasis on the coherently arranged public procurements-related documents on the Web Site of Herceg Novi Municipality - referring here not only to the public procurement invitations, but also to decisions on granting contracts based on such public procurement invitations. The transparency of public procurements is extremely important to the diminishing of corrupt practice opportunities and, therefore, we do not consider that it is enough to publish documents only on the Web Site of the Public Procurement Directorate. In addition to publishing documents on the Web Site, Herceg Novi Municipality provides its citizens with a direct examination of the Annual Statements of Accounts, Extracts from the planning documents and alike, in the municipal business premises. And, in the end, we will commend **Bar** Municipality on the arrangement of the municipal planning documents on the Web Site.

3.2.3. Results attained in the Cooperation with Civil Society Organizations dimension

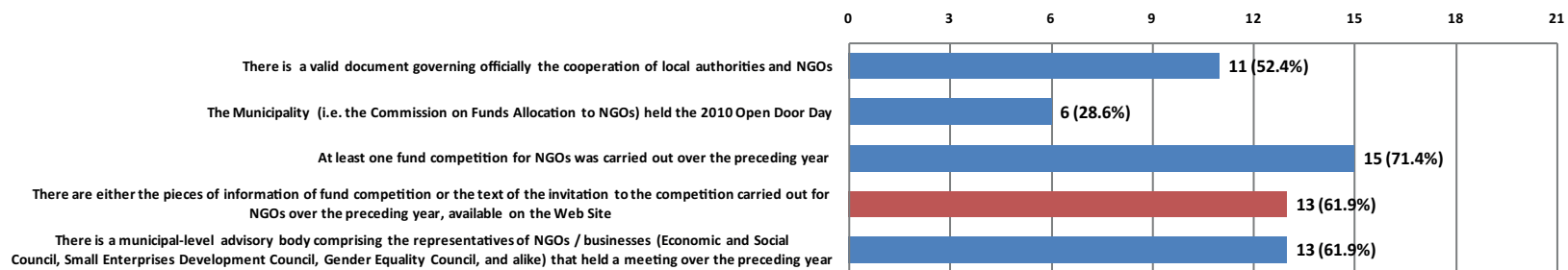
LSGUs gained the average 55.24% of the attainable points in this dimension. The results per indicator are displayed in *Graph # 13* (Internet-related indicators are given in red).

Such an average result demonstrates an insufficient engagement of LSGUs in involving the representatives of civil society in political and social life of community, whether it is about their contributions to devising local public policies and community beneficial work or about a direct cooperation in delivering services to citizens. According to such results, few LSGUs held the 2010 Open Door Day, i.e. only 6 (28.6%). The said instrument provides all interested NGOs with the information of the

matters of importance to the participation in the fund competitions. Therefore, it is clear that holding similar events is a significant way of communication between municipalities and NGOs. Holding of the foregoing event is not mandatory according to the law, but it is definitely an example of good practice. Therefore, the 6 municipalities (namely Berane, Bijelo Polje, Danilovgrad, Herceg Novi, Kotor and Tivat) should be commended on holding the 2010 Open Door Day, taking into account that three (namely Berane, Bijelo Polje and Danilovgrad) out of the 6 foregoing ones are among the five municipalities with the lowest Budget amount per capita (*Appendix No. 6.2*).

Furthermore, in 15 (71.4%) municipalities LSGUs carried out at least one fund competition for NGOs during 2010, whereas in 13 (61.9%) municipalities the information of such competition existed on their respective

Graph # 13 - Results per indicator in Cooperation with Civil Society Organizations dimension



Web Sites. Nevertheless, in slightly more than a half of LSGUs (to be precise, in 13 LSGUs) there was at least one advisory body comprising the representatives of NGOs and/or businesses.

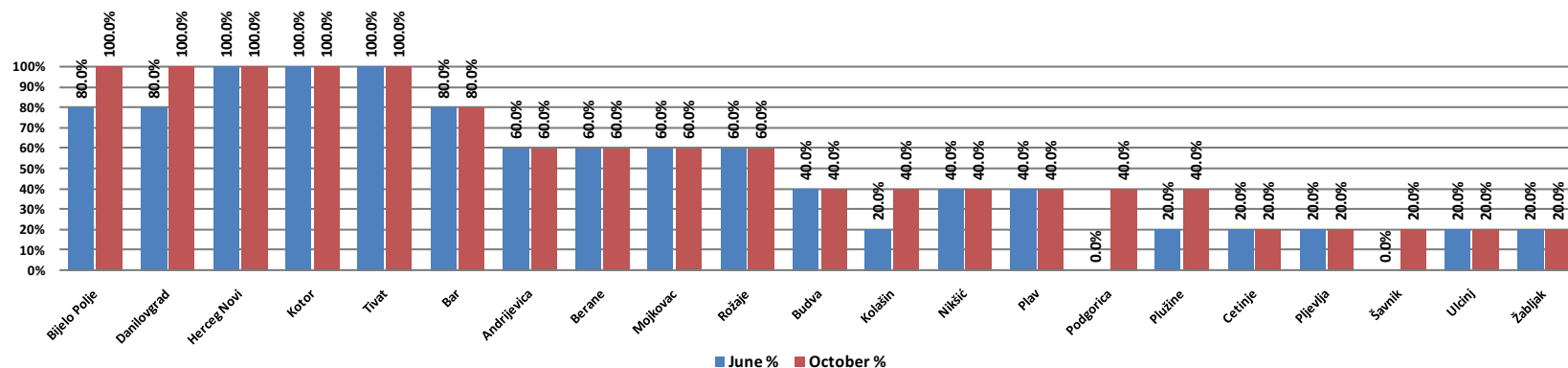
Finally, we do not consider as sufficient that only 11 (52.4%) municipalities have a valid document governing officially the cooperation of local authorities and NGOs. **It is obvious that there is a need to make a stronger engagement in delivering support to the development of civil society sector at local level.** Taking into account the aggregate results attained in this dimension, we consider that it is necessary to commend five municipalities, namely Bijelo Polje, Danilovgrad, Herceg Novi, Kotor and Tivat, on gaining the maximum number of points, i.e. on meeting all the five indicators.

As compared to the preliminary research outcomes, LSGUs reached the least progress in this dimension and, consequently, we consider they should pay an attention to the necessity of involving local population via

civil society organizations in the process of making decisions that are of relevance to their everyday life.

Graph # 14 reflects the percentage of the points gained by all Montenegrins LSGUs.

Graph # 14 - Cooperation with Civil Society Organizations (% of the gained points per municipality)



GOOD PRACTICE

Municipalities of **Bijelo Polje**, **Danilovgrad**, **Herceg Novi**, **Kotor** and **Tivat** are the five Montenegrin municipalities that can boast about meeting the minimum requirements for higher quality cooperation with civil society organizations. We are emphasizing here the minimum requirements, since we made a research only in the basic and mainly formal matters that are grounds for both the inclusion and the participation of citizens in decision-making and decision-enforcing processes respectively. **Herceg Novi** Municipality formalizes the cooperation with civil society organizations through several documents, namely through the Ordinance for the Participation of Citizens in Decision-Making, the Local Plan of Social Services Development and the Action Plan for Disability-Related Issues, whereas **Tivat** Municipality formalizes the said cooperation via Declaration of Cooperation between NGOs and Local Government Authorities. All the five foregoing municipalities held the 2010 Open Door Day. Besides, the municipalities carried out the 2010 fund competition for NGOs, with all the relevant information of the competition being available on their respective Web Sites. **Kotor** Municipality has two advisory bodies comprising the representatives of the civil society organizations. They are the Councils for the Young and the Council for Culture, whereas **Herceg Novi** has the Social and Economic Council and the Council for the Care of Disabled Persons. In addition to the official mechanisms for the inclusion of the organizations concerned in decision-making processes in LSGUs, it is significant to have the political will, as well as the local authorities' awareness of the importance of involving interested citizen groups to the values of participatory democracy.

3.2.4. Results attained in the Enforcement of the Law on Free Access to Information dimension

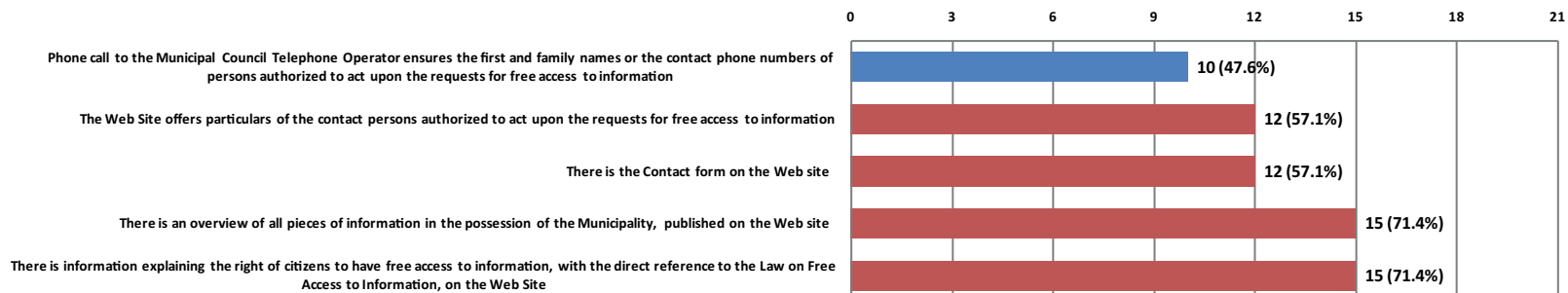
LSGUs gained 60.95% of the attainable points in this dimension. The results per indicator are displayed in *Graph # 15* (Internet-related indicators are given in red).

Taking into account that exactly the foregoing Law is the most important instrument to ensuring the transparency in functioning of public administration bodies, among which LSGUs are, we consider that this dimension needs significant improvements. The first indicator refers to the phone call given to all the municipalities. We can conclude that even in 11 (52.4%) municipalities the civil servants – who are in charge of receiving calls in LSGUs - did not know the first/family names of public information officers. This indicate to two potential problems, i.e. to the fact that the public information officers either have not been appointed or are appointed on an ad hoc basis, or that no adequate information has been pro-

vided to the ones that should refer citizens to such appointed public information officers.

Other indicators used for this dimension refer to the availability of Guides to the Free Access to Information on the Web Sites, particulars of the contact persons authorized to act upon the requests for free access to information and similar particulars concerning this dimensions. It is necessary to emphasize that we assigned 1 point also to any minimum met indicator. For example, the indicator that implies publishing the list of the types of information in the possession of municipal authorities was met only partly in a number of cases. Namely, some of the municipal Web Sites did not contain published Guides to the Free Access to information for all, but had them only for some of the municipal authorities. Furthermore, only nine municipalities published the said information in a systematized manner on their respective Web Sites, with the majority of them offering the information at a variety of places and making thereby the information incoherent. The indicator that implies giving the contacts

Graph # 15 - Results per indicator in in Enforcement of the Law on Free Access to Information

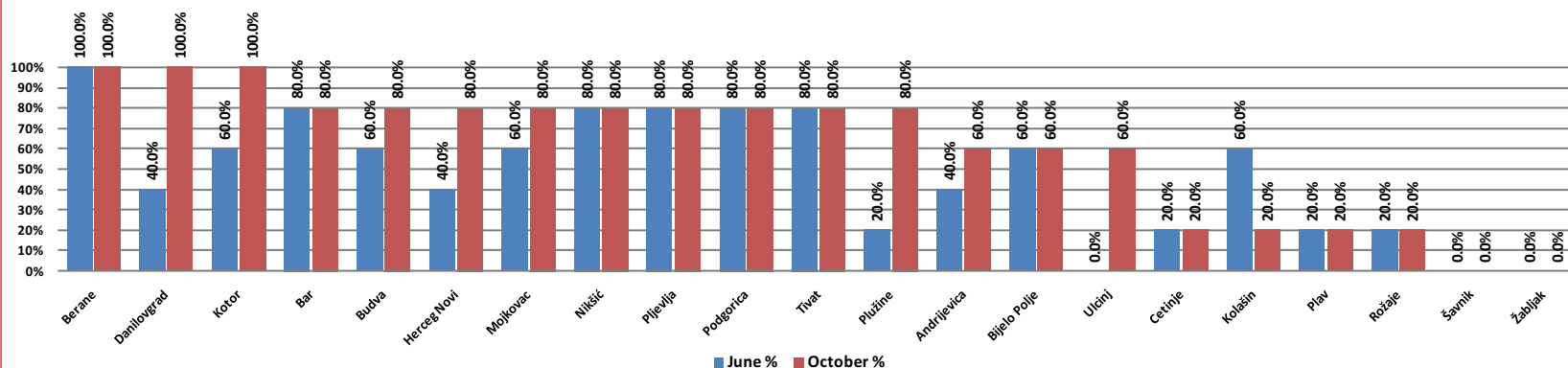


of the authorized persons and the responsible persons also needs an additional explanation. In this case, the foregoing Guides include a separate chapter under heading "Authorized Persons and Responsible Persons". However, municipalities are not uniformed in this respect and, consequently, some of them give only the functions of authorized persons³, whereas only in few cases there are the first/family names and/or contact phone numbers. In addition, there are municipalities with the Guide to the Free Access to information in the possession of one authority stating only the functions of those persons and with the Guide relating to a different authority containing the full contact details. Once again, we assigned 1 point if LSGs had at least one Guide containing the complete

contact details, but we **consider that all the Guides and all the Web Sites should include the clear functions, the first/family names and/or the contact phone numbers/e-mail addresses.** Such results induce the conclusion that it is necessary to adopt certain minimum standards that should be met by all municipal Web Sites concerning both their respective basic (mandatory) contents and the arrangement of such contents thereon.

As compared to the preliminary research outcomes, a positive step forward has been made particularly in relation to two indicators. The number of LSGUs that can provide immediate information of the civil

Graph # 16 - The Enforcement of the Law on Free Access to information (% of the gained points per municipality)



³ For example, the Chapter Authorize Persons and Responsible Persons reads as follows „A request for free access to information in the possession of the Secretariat for _____ shall be acted upon by a civil servant within the scope of work of whom such information is.“

servants in charge of acting upon requests for free access to information is double now (5 LSGUs previously, and 10 LSGUs now). Besides, several municipalities have accepted our suggestions concerning the need to post contact details also of the foregoing civil servants on their respective Web Sites. Consequently, there are 12 LSGUs with the information

of the civil servants in charge of acting upon requests for free access to information now.

Graph # 16 displays the percentage of the points gained by all LSGUs in Montenegro.

GOOD PRACTICE

Municipalities of **Berane**, **Danilovgrad** and **Kotor** are the ones that met all the indicators in this dimension. This means that a telephone call given to the Municipal Council Telephone Operator ensures the first and family names of persons authorized to act upon the requests for free access to information. Contact details of the foregoing persons are also on the Web sites of these municipalities, included in the Guides for the Free Access to Information that provide also the overview of the types of information in the possession of the LSGUs' authorities. Besides, the Web Sites offer the Contact Form that facilitates the interested citizens to contact the local authorities. Nevertheless, we have to emphasize that, during the research in this dimension, we assigned 1 point to (we actually accepted as positive answers) also the minimum met indicators. To be clear: in case of **Berane** Municipality, it is impossible to find the Guides relating to municipal authorities individually, whereas not all the available Guides contain directly stated contact particulars of the authorized persons and the responsible persons. The arrangement of information concerning this particular area has been improved significantly in a large number of municipalities as compared to the preliminary research outcomes. On the other hand, **Danilovgrad**, **Kotor**, **Pljevlja**, **Budva**, **Tivat** and publish the Guide/Guides on the same page of their respective Web Sites, giving the full contact details (i.e. the first and family names or contact phone numbers) of the authorized/responsible persons.

Herceg Novi's Web Site is particularly interactive, which is not the case when it comes to the majority of other municipalities. Contact Forms of Ask the Mayor and Ask the Municipal Council formats provides citizen with not only the information, but also the very simple completion of forms for posing a direct question to the management. Herceg Novi has such Contact Forms, and it also publishes responses to the questions posed by citizens. We consider this as an extraordinary model of good practice of a municipality that tends to be open to all potential questions. Besides, this municipality has an extraordinary model of giving, on its Web Site, the particulars of the authorized persons and the persons in charge of acting upon requests for free access to information.

3.2.5. Results attained in Functioning of Local Communities dimension

LSGUs gained 73.02% of the attainable points in this dimension. The results per indicator are shown in *Graph # 17* (Internet-related indicators are given in red).

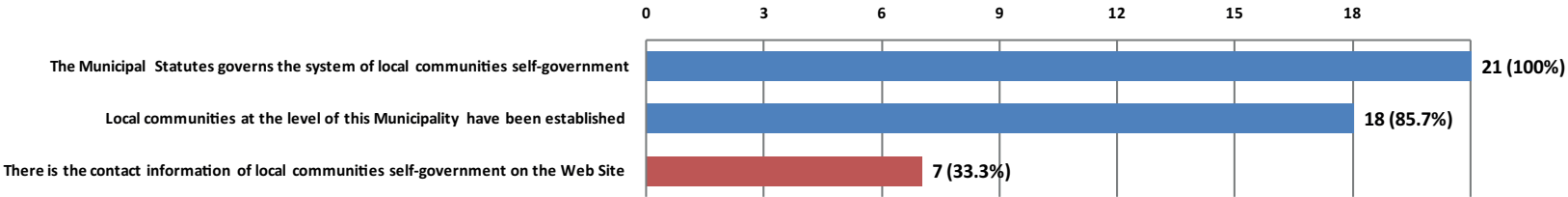
The results have revealed that all the Municipal Statutes governed the local community self-government systems and, consequently, the first formal and legal requirement for local communities functioning was met. We can conclude that 3 LSGUs did not constitute local communities, with only 7 (33.3%) municipalities that published the contact information of local community self-governments on their respective Web Sites - which can indicate the fact that local community self-governments are actually func-

tional only in 7 LSGUs. On the other hand, it seems as if the authorities in those municipalities without local community self-governments established do not have an interest therein and that citizens of those municipalities do not realize either the purpose of or the benefit from legally provided channels of influence on political processes in their immediate surroundings.

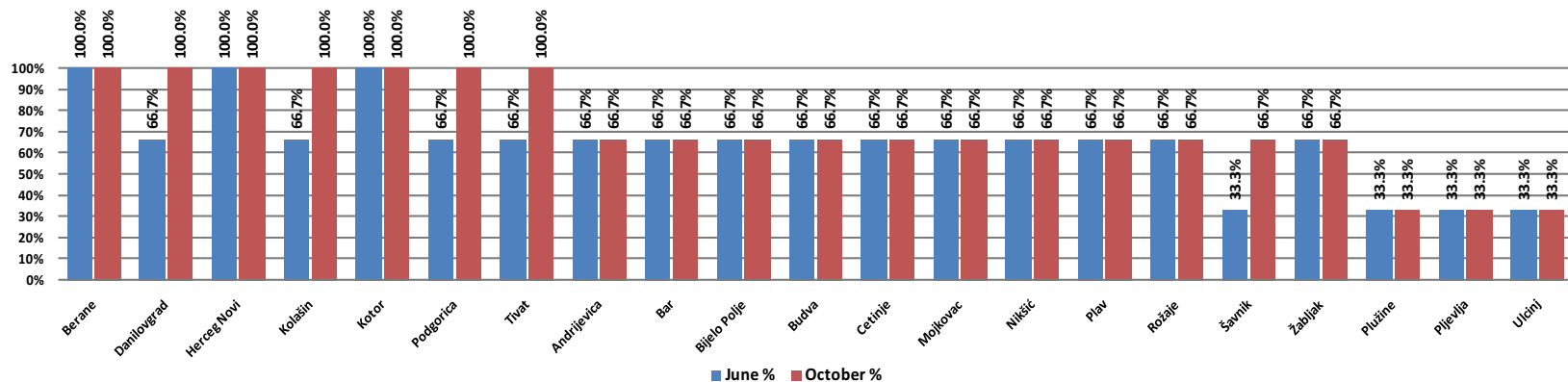
As compared to the preliminary research outcomes, the number of LSGUs that give the full contact details of local community self-government has been increased from 4 to 7 (i.e. from 19.0% to 33.3%).

Grafikon 18 prikazuje procenat osvojenih bodova u ovoj dimenziji sa sve JLS u Crnoj Gori (u junu i u oktobru).

Graph # 17 - Results per indicators in Functioning of Local Communities dimension



Graph # 18 - Functioning of Local Communities (% of the gained points per municipality)



GOOD PRACTICE

Municipalities of **Berane, Danilovgrad, Herceg Novi, Kolašin, Kotor, Podgorica** and **Tivat** (precisely one third of the total LSGUs in Montenegro) meet the minimum requirements for a successful functioning of local communities. Namely, the Statutes/the Rules of Procedures of these municipalities respectively govern the system of local community self-governments. Local community self-governments have been established at municipal level, with the respective municipal Web Sites offering the published contact details of the local communities self-governments. These are indicators that local communities in these municipalities have certain formal and legal requirements met for their functioning and work, whereas a response to the question whether they are really active should be given by a different research.

4. WHAT LOCAL AUTHORITIES SHOULD LOOK LIKE IN REALITY: BASIC PRINCIPLES AND THE ANALYSIS OF RELEVANT DOCUMENTS

4.1. Transparency, participation and cooperation

Transparency, participation and cooperation are the three principles that should be followed by not only the local authorities, but also the authorities in general.

Transparency, on the one hand, speaks of the accountability of authorities and, on the other hand, it provides citizens with the access to information of the activities of the very representatives of such authorities. For the purpose of reaching the transparency, local authorities should establish a procedure that will enable information to be disseminated regularly to citizens. It is for sure desirable, in the 21st century, to use the Internet as a medium that poses no administrative barriers to interested citizens, but provides them with the information in their homes.

2011-2016 Strategy for Public Administration Reform in Montenegro

Item 2.2. Goals

As one of the goals important to the area of local self-government, the Strategy reads the following:

- transparent functioning of the authorities of local self-government units, such functioning being entrenched in ethical conduct of civil servants, and a high level of participation of citizens and other stakeholders in performing public duties.

Council of Europe - Committee of Ministers

Recommendation Rec(2001)19 of the Committee of Ministers to member states on the participation of citizens in local public life
Steps and measures to encourage and reinforce citizens' participation in local public life

5. Introduce greater transparency into the way local institutions and authorities operate, and in particular:
 - i. ensure the public nature of the local decision-making process (publication of agendas of local council and local executive meetings; meetings of the local council and its committees open to the public; question and answer sessions, publication of minutes of meetings and decisions, etc.);
 - ii. ensure and facilitate access by any citizen to information concerning local affairs (setting up information bureaux, documentation centres, public databases; making use of information technology; simplifying administrative formalities and reducing the cost of obtaining copies of documents, etc.);
 - iii. provide adequate information on administrative bodies and their organisational structure, and inform citizens who are directly affected by any ongoing proceedings of the progress of these proceedings and the identity of the persons in charge.

Participation of local authorities implies the involvement of citizens in decision-making processes, since the pieces of information obtained through such participation increase the quality of the very decisions. In order too make the foregoing feasible, it is necessary to ensure adequate conditions for a more frequent participation of the interested citizens. Positive effects will be visible on both sides, which will contribute to bridging a gap that could emerge between authorities and citizens.

2011-2016 Strategy for Public Administration Reform in Montenegro

Item 2.3.7. Participation of citizens, transparency and good governance at local level

Participation of citizens should be observed from several points of views, namely from the attitude of local authorities to citizens; from the attitude of executive authorities and local self-government to citizens; as well as from the point of view of an increase in citizens and local self-governments' levels of knowledge and awareness of the importance and opportunities of their participation to and in performing public duties.

Council of Europe - Committee of Ministers

***Recommendation Rec(2001)19 of the Committee of Ministers to member states on the participation of citizens in local public life
Steps and measures to encourage direct public participation in local decision-making and the management of local affairs***

3. Make full use, in particular, of:

- i. new information and communication technologies, and take steps to ensure that local authorities and other public bodies use (in addition to the traditional and still valuable methods such as formal public notices or official leaflets) the full range of communications facilities available (interactive websites, multi-channel broadcast media, etc.);
- ii. more deliberative forms of decision-making, i.e. involving the exchange of information and opinions, for example: public meetings of citizens; citizens' juries and various types of forums, groups, public committees whose function is to advise or make proposals; round tables, opinion polls, user surveys, etc.

Cooperation implies a logical continuation of the participation. All bodies in the authorities should use contemporary methods and technologies of mutual cooperation, cooperation with other-level authorities, and cooperation with civil society organizations, business sector and individuals from private and public sectors.

2011-2016 Strategy for Public Administration Reform in Montenegro

Item 2.1. Analysis of the local self-government system condition

It is concluded that there are still certain failures in functioning of local self-government, as follows:

- *Insufficient level of cooperation between local-level representatives and citizens, as well as between the staff of local self-governments and citizens;*
- *Insufficient level of transparency in the local self-government authorities functioning and administration to citizens*

4.2. E-local government

The availability of information on Web Sites, which has been highlighted several times so far, increases opportunities for the participation of citizens in local community. The seal of confirmation that such a need has been recognized also by Montenegrin authorities can be found in the 2011-2016 Strategy for Public Administration Reform in Montenegro.

2011-2016 Strategy for Public Administration Reform in Montenegro

Item 1.6. E - Governance

Purposes:

- *establishing the electronic documents management system in public administration authorities;*
- *providing conditions that citizens and other natural and legal persons can communicate electronically with public administration authorities, for exercising their rights and obligations.*

2011-2016 Strategy for Public Administration Reform in Montenegro

Item 2.3.7. Participation of citizens, transparency and good governance

Local self-government units should play the key role in increasing the participation of citizens and other stakeholders, while primarily through a further intensive development of local media, interactive forms of trainings in communication (websites, System 48,...) and by means of other mechanisms that are effective in democratization of local governance in all local self-government units.

Council of Europe - The Congress of Local and Regional Authorities

Resolution 290 (2009) E-democracy: opportunities and risks for local authorities

2. New technologies offers local authorities unprecedented opportunities to consult their electorates and improve the effectiveness and transparency of their work. Through e-democracy applications, they can improve participation and voter engagement and thereby improve the quality of life at the local level.

5. In the light of the above, and bearing in mind the conclusions of the 2008 Forum for the Future of Democracy (Madrid, 17-18 October 2008), the Congress calls on the local authorities of Council of Europe member states to: embrace e-democracy, recognizing its huge potential for regenerating local political life and improving the transparency and efficiency of local political governance.

5. CONCLUSION

In the **Montenegro 2011 Progress Report**, the European Commission stated that establishing a transparent, efficient and accountable administration at local level were still pending. POTEZ Project has contributed anyway to the transparency of local self-government units, which is obvious from the progress reached over no longer than three-month period; however, local self-government units must not stay at this level, since there is still a lot of work to do for the sake of progress - as the European officials stated. It is still required to improve the democratic character of political institutions and political culture in Montenegro. This particularly implies to local self-government that is observed as a service to citizens, i.e. to the responsible local self-government open to cooperation with citizens in making decisions with significant influence on the quality of citizens' everyday life.

Such a conclusion is induced by the data that the average gained score during the research concerned was 6.30 (on the scale from 0 to 10), with only 5 municipalities that gained more than 7.5 points and that, therefore, can be considered as transparent ones. Findings of our research have shown also that the **sizes of LSGUs and their respective budget amounts per capita did not influence directly the total transparency result reached**, and that several municipalities with their very low respective budget amounts per capita appeared to be partly transparent/transparent (5 to 7.5 points and more). Therefore, the research concerned does not ask municipalities to the tasks requiring so many funds – this being particularly true when it comes to those municipalities with already established Web Sites. The majority of indicators are minimum transparency standards that do not require large investments.

Therefore, it seems that two elements are the key ones for transparency improvement in LSGUs, i.e. **the awareness of the variety of transparency meanings and the readiness of local authorities to improve themselves.** Communication we had with local self-government units over the research time has told us that there is the significant number of Montenegrin municipalities showing all good faith when it comes to transparency improvement. Therefore, it is up to us to conclude that, most probably, Montenegrin municipalities were not informed adequately either of the full meaning of the notion of transparency, or of all the methods of getting closer to their respective citizens. The said three-month cooperation with the representatives of local self-government units has confirmed such our conclusion, since the majority of them have expressed their appreciation to CDT for this Project that gives them further serious guidance on transparency development.

We are aware that the large number of the Internet-related indicators put in a disadvantageous position the LSGUs that do not have their respective Web Sites; nevertheless, we are sure at the same time that 21st century local self-government cannot and must not function without such a medium. Availability of information on Web Sites provides citizens with a fast and easy access to the pieces of information about daily political matters, with interactive media ensuring them new forms of communication with the elected representatives. Publishing the contact details, significant documents, agendas and public policies on the Web Sites makes local authorities transparent, ensuring an informed participation of interested citizens. On the other hand, in 18 municipalities with active Web Sites - if observed in general – slightly more than a half of the

Internet-related indicators were met, implying that certain municipalities do not take sufficient advantage of the medium for informing citizens and for interaction with them. While some of municipal Web Sites – such as the ones of Herceg Novi, Tivat and Bar Municipalities – are very systematized and ensures thereby a simple search, the same cannot be said about the majority of them. Therefore, we are emphasizing a need to have those LSGUs to reconstruct their respective Web Sites for the purpose of better-arranged contents thereof. Otherwise, the question of their Web Sites purpose arises.

POTEZ as a project has its time frame, whereas the transparency must not be subject to such a framing. In other words, **we hope that municipalities will neither stay at this transparency level at which they are now, nor cease to publish their documents after the Project completion.** We believe that local self-government units that have been recognized as the ones with good practices in certain areas should continue to follow such practices and that the others must improve further their openness to their respective citizens, having in mind other Montenegrin LSGUs' good practices. Taking into consideration that local elections were held recently, we would like to send a message to the Municipal Mayor/Managers to make their efforts during their new terms of offices in increasing transparency and openness.

CDT will make any effort to repeat this research from time to time, in order to be able to measure the progress in Montenegrin municipalities. We hope that local self-government units that have been evaluated as those with rather low transparency level will take advantage of our research to improve their transparency. Over time, **the methodology will be revised for the purpose of increasing the transparency standard.** The progress reached over only three-month long period has shown that POTEZ not only

identified the fundamental issues in the transparency of local self-government units' operations, but also acted in a meaningful manner in order to overcome the identified shortages. Regardless of that, there is still a large space for improvements. It is very important to the whole process that LSGUs learn from each other. For that purpose and in line with a need to transpose good practices, the Conference on Transparency and Good Governance at Local Level has been arranged as the final event of the Project. The Conference will be the forum for the representatives of state institutions, the Managers/Mayors of all Montenegrin municipalities, representatives of the Union of Municipalities of Montenegro, representatives of the media, and representatives of the regional NGOs dealing with similar topics to discuss the good practices and challenges we observed during our work and researches in the topic.

Council of Europe - Committee of Ministers

Recommendation Rec(2001)19 of the Committee of Ministers to member states on the participation of citizens in local public life
Basic principles of a local democratic participation policy

8. Enable the exchange of information between and within countries on best practices in citizen participation, support local authorities' mutual learning about the effectiveness of the various participation methods and ensure that the public is fully informed about the whole range of opportunities available.

6. APPENDIXES

6.1. Overview of dimensions and indicators employed during POTEZ's research

TRANSPARENCY OF THE MEETINGS OF MUNICIPAL COUNCILS dimension

- 1.1. Transparency of functioning is governed under either the Statute or the Rules of Procedures of Municipal Councils
- 1.2. Citizens are also entitled to attend the Municipal Councils' meetings
- 1.3. Announcement of one Municipal Council meeting at least, over the preceding 6-month period
- 1.4. Agenda is available on the Internet, in advance of a meeting
- 1.5. Councilors' questions are governed under either the Rules of Procedure or the Statutes
- 1.6. The Rules of Procedure/the Statutes prescribes the time for holding Councilors' Questions
- 1.7. Service of documents to Councilors is governed under the Rules of Procedure/the Statutes
- 1.8. The Rules of Procedure prescribes the service of documents in advance of a meeting also to certain other stakeholders (media, political parties, general meetings of Local Community Councils, ...)
- 1.9. Is it visible on the Internet that the working documents for the meetings of Municipal Council are published regularly
- 1.10. One or several official minutes and/or ordinances made in the meetings of Municipal Council published directly on the Internet over the previous 6-month period

- 1.11. One or several communications from the Municipal Council meetings held over the previous 6-month period
- 1.12. An invitation to the media sent in advance of the last meeting of Municipal Council
- 1.13. After the last meeting of Municipal Council, the press release sent
- 1.14. The media attended the last meeting of Municipal Council

OPENNESS OF DECISION-MAKING BY LOCAL SELF-GOVERNMENT UNITS dimension

- 2.1. The Statutes of the Municipality posted directly on the Internet
- 2.2. The Rules of Procedure of the Municipal Council posted on the Internet
- 2.3. Municipal Info Center is functional
- 2.4. Citizens can examine regulations passed by the Municipal Council and that relate to the Municipality (published in the Official Gazette of Montenegro) in the Info Center
- 2.5. At least one decision made by the Mayor/Manager posted on the Web Site, over the previous 6-month period
- 2.6. The 2011 Budget posted on the Web Site in the format of an official document
- 2.7. There are additional pieces of information relating to the Budget, available to citizens
- 2.8. Other forms of informing the citizens of the 2010 and 2011 Budgets respectively (letters, leaflets, notices, press releases, forums)
- 2.9. The 2010 Annual Statement of Accounts is on the Web Site

- 2.10. The 2010 Annual Statement of Accounts is available in other formats (and not only on the municipal Web Site)
- 2.11. The GUP(General Urbanistic Plan) is available on the Web Site
- 2.12. The DUP(Detailed Urbanistic Plan) is available on the Web Site
- 2.13. The GUP is available to the public in a different format
- 2.14. The DUP is available to the public in a different format
- 2.15. At least one invitation for public procurement made in the preceding year is available on the municipal Web Site
- 2.16. All the decisions on contracts granted based on a preceding-year invitation for public procurement are available on the municipal Web Site
- 2.17. There is the fixed time when the Municipal Mayor/Manager receives citizens

COOPERATION WITH CIVIL SOCIETY ORGANIZATIONS dimension

- 3.1. There is a valid document governing officially the cooperation of local authorities and NGOs
- 3.2. The Municipality (i.e. the Commission on Funds Allocation to NGOs) held the 2010 Open Door Day
- 3.3. At least one fund competition for NGOs was carried out over the preceding year
- 3.4. There are either the pieces of information of fund competition or the text of the invitation to the competition carried out for NGOs over the preceding year, available on the Web Site
- 3.5. There is a municipal-level advisory body comprising the representatives of NGOs/businesses (Economic and Social Council, Small Enterprises Development Council, Gender Equality Council, and alike) that held a meeting over the preceding year

ENFORCEMENT OF THE LAW ON FREE ACCESS TO INFORMATION dimension

- 4.1. Phone call to the Municipal Council Telephone Operator ensures the first and family names or contact phone numbers of persons authorized to act upon the requests for free access to information
- 4.2. The Web Site offers particulars of the contact persons authorized to act upon the requests for free access to information
- 4.3. There is the Contact Form on the Web site
- 4.4. There is an overview of all pieces of information in the possession of the Municipality, published on the Web Site
- 4.5. There is information explaining the right of citizens to have free access to information with the direct reference to the Law on Free Access to Information, on the Web Site

FUNCTIONING OF LOCAL COMMUNITIES dimension

- 5.1. The Municipal Statutes governs the system of local communities self-government
- 5.2. Local communities at the level of this Municipality have been established
- 5.3. There is the contact information of local communities self-government on the Web Site

6.2. List of Municipalities by Population and List of Municipalities by Budget Amount Per Capita

MUNICIPLAITY	NUMBER OF INHABITANTS (THE 2011 CENSUS)
Podgorica	187,085
Nikšić	72,824
Bijelo Polje	46,676
Bar	42,368
Berane	35,452
Pljevlja	31,060
Herceg Novi	30,992
Rožaje	23,312
Kotor	22,799
Ulcinj	20,265
Budva	19,170
Danilovgrad	17,678
Cetinje	16,757
Tivat	14,111
Plav	13,549
Mojkovac	8,669
Kolašin	8,420
Andrijevica	5,117
Žabljak	3,599
Plužine	3,286
Šavnik	2,077

MUNICIPALITY	THE 2011 BUDGET AMOUNT PER CAPITA (IN €)
Budva	3,012.21
Plužine	1,051.57
Kolašin	879.81
Šavnik	818.44
Tivat	716.11
Kotor	690.60
Pljevlja	636.04
Bar	615.09
Žabljak	525.65
Herceg Novi	515.94
Ulcinj	437.77
Nikšić	422.92
Andrijevica	416.29
Cetinje	387.90
Podgorica	365.17
Mojkovac	314.94
Danilovgrad	277.18
Bijelo Polje	248.52
Berane	239.68
Plav	220.00
Rožaje	213.84

7. SOURCES

- *2011-2016 Strategy for Public Administration Reform in Montenegro, March 2011 (available only in Montenegrin)*
<http://www.gov.me/ResourceManager/FileDownload.aspx?rid=73066&rType=2&file=Strategija%20reforme%20javne%20uprave%20u%20Crnoj%20Gori%20za%20period202011-2016..pdf>
- *Council of Europe - Committee of Ministers - recommendation Rec(2001)19 of the Committee of Ministers to member states on the participation of citizens in local public life*
<https://wcd.coe.int/com.instranet.InstraServlet?command=com.instranet.CmdBlobGet&InstranetImage=871858&SecMode=1&DocId=234770&Usage=2>
- *Council of Europe the Congress of Local and Regional Authorities - Resolution 290 (2009) E-democracy: opportunities and risks for local authorities*
<https://wcd.coe.int/com.instranet.InstraServlet?command=com.instranet.CmdBlobGet&InstranetImage=1717015&SecMode=1&DocId=1487166&Usage=2>
- *Montenegro 2011 Progress Report, the European Commission*
http://ec.europa.eu/enlargement/pdf/key_documents/2011/package/mn_rapport_2011_en.pdf

