GLOBAL CHARTER ON
RIGHT TO PARTICIPATION IN LOCAL
DEMOCRATIC GOVERNANCE

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Draft for Discussion
The Charter

The Global Charter on Right to Participation in Local Democratic Governance is a product of cross-country consultations by the LogoLink members in their respective regions. These members include Development Network of Indigenous Voluntary Associations (DENIVA), Uganda and Isandla Institute, South Africa in African region; Institute for Popular Democracy (IPD), Philippines, Society for Participatory Research in Asia (PRIA), India, Participation Center, China in Asian region; Polis, Brasil, Centro de Servicios Municipales Heriberto Jara (CESEM), Mexico in Latin American region; Deliberative Democracy Consortium (DDC), USA and Institute of Development Studies (IDS), UK in Northern region.

LogoLink through this Global Charter actively not only advocates for actualising citizens’ right to participation in local democratic governance but also suggests concrete steps and mechanisms that will facilitate public institutions in realising just and equitable governance with active citizen participation.

About LogoLink

LogoLink is a global network of practitioners from civil society organisations, research institutions and governments created to stimulate and support civil society organisations and networks to engage in citizen participation and social control of public policies at the local level. During its 10-year existence, it has contributed to the achievement and consolidation of citizen participation and social control in processes and in public institutions (www.logolink.org)
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Preamble

Democracy has triumphed as the most accepted form of governance throughout the world. At the heart of democracy is the recognition of citizens’ rights and their ability to influence key decisions undertaken by democratic governance institutions. There is an increasing realisation that in order to promote the ideals, values and practices of citizen participation, the electoral representative form of democracy must be complemented with promotion and strengthening of participatory democracy.

The electoral representative form of democracy and associated institutions all over the world are increasingly being challenged by citizens and civil society for their deficits in authentic participation, transparency, accountability and responsiveness, particularly to the poor, marginalised and excluded.¹

Right to participation of citizens in the governance of society is enshrined in the constitutions of many countries; in reality, the mechanisms to promote this are inadequate. There is widespread disrespect and often deliberate violation of these constitutional rights by the institutions of governance themselves. To promote just and equitable governance, citizen participation must be ensured as much as rule of law.

Introduction of democratic decentralisation and local governance in many countries has been accompanied by legal spaces for citizen participation in local institutions, policies and programmes. These spaces are seen as opportunities for citizens to articulate their developmental needs and aspirations, to enhance access to information and resources, and to influence decision making with regard to local policies and programmes. Though these legal spaces are necessary, they do not provide a sufficient condition for enabling participation of all citizens. These opportunities, therefore, must work for all citizens, particularly the poor, marginalised and excluded, and require additional interventions by government, civil society, business and other actors.

LogoLink acknowledges the existence and contribution of several other important initiatives and charters led by local government associations and other networks that support participatory democratic processes.

¹ ‘Poor, marginalised and excluded’ includes socially, politically and economically deprived citizens, women, the disabled, people living with HIV/AIDS, the young and the elderly, religious and ethnic minorities, and indigenous peoples.
The Global Charter Agenda for Human Rights in the City promoted by the United Cities and Local Government (UCLG) aptly recognises “whereas all human beings are endowed with the rights and freedoms recognised in the Universal Declaration of Human Rights (1948) and the international instruments that build upon it, in particular, the International Covenants on Economic, Social and Cultural Rights, and on Civil and Political Rights (1966), the regional conventions and charters of human rights protection and other basic human rights treaties…. Whereas all human rights are universal, indivisible and interdependent, as indicated in the Vienna Declaration (1993), and reaffirmed in the Millennium Declaration (2000) and the Declaration for the 60th Anniversary of the United Nations (2005); and that therefore not only is the realisation of economic, social and cultural rights indispensable for the full exercise of political rights, but at the same time only the exercise of civil and political rights permits participation in the decision-making mechanisms that may lead to the achievement of economic and social rights.”

The World Charter on the Right to the City also emphasised “all persons have the right to participate through direct and representative forms in the elaboration, definition, implementation, and fiscal distribution and management of public policies and municipal budgets, in order to strengthen the transparency, effectiveness, and autonomy of local public administrations and of popular organisations.”

The Inter-American Democratic Charter promoted by the Organisation of American States in Article 2 clearly articulates “the effective exercise of representative democracy is the basis for the rule of law and of the constitutional regimes of the member states of the Organization of American States. Representative democracy is strengthened and deepened by permanent, ethical, and responsible participation of the citizenry within a legal framework conforming to the respective constitutional order.”

The Ibero-American Charter on Citizen Participation in Public Management promoted by the Latin American Centre for Development Administration (CLAD) concluded that citizen participation in governance is integral to democracy. The Charter emphasises citizens’ rights to participation and the need for establishing mechanisms to ensure that such rights are exercised.

The Charter of European Cities and Towns for Sustainability recognises the need for involving citizens and agents that can contribute to shape the future economic, social and environmental quality of territories (cities). It also recognises the need for active involvement of residents and a better dialogue between political representatives, residents and economic actors in order to find the best solutions for each deprived urban area.

The Aberdeen Principles promoted by the Commonwealth Local Governance Forum articulates, “All citizens should be able to participate actively in the local democratic process. Local democracy gives citizens the freedom to participate in making decisions that are locally appropriate and serve the needs of [the] local community. Effective consultation
is central to the engagement of the community in the local policy making process. However, critical to this is a vibrant civil society and a clearly defined relationship between it and local government. It is important for local government to be proactive, and reach out to its communities to ensure that public participation is maximised.”

The Global Charter on Right to Participation in Local Democratic Governance proposed by LogoLink in this document, while acknowledging the aforementioned initiatives and drawing strength from them, is distinctive because it is a civil society proposal, has emerged from a bottom-up process, and intends to develop capacities at the grassroots level as well as at regional and international levels. This Charter aims to offer support to civil society initiatives and also to sensitise local governments to implement participatory citizenship when making decisions regarding public policies.

Objective

The objective of the Global Charter on Right to Participation in Local Democratic Governance is to establish the rights of citizens to decide the formation, structure, processes and outcomes of local democratic governance, with particular emphasis on the participation of the poor, marginalised and excluded.

The Global Charter intends to catalyse processes that should:

- Provide continuous facilitation and support to promote citizen action, activism and advocacy for citizens’ participation.
- Build pressure for local and national policies and mechanisms on right to citizen participation.
- Collaborate with capacity building processes at the grassroots level that enables citizens and their organisations to participate in decision-making processes related to public institutions, policies and programmes.
- Sensitise governance institutions and their public officials at all levels to promote and support citizen participation in local democratic governance.

Values and Principles

Strengthening democratic and participatory practices in local democratic governance gets citizens closer to government, which helps them in guiding public institutions, policies and programmes. Citizen participation expands public spaces, enhances the relationship between society and government, gives greater legitimacy to democratically elected authorities, promotes respect for citizenship rights, enhances the quality of politics, and strengthens solidarity and cooperation. It is also the bearer of a new culture that expresses the defence of collective interests and the search for collective solutions. Based on this
overarching perspective, the Global Charter will subscribe to certain values and principles as follows.

**Acknowledging multiple meanings and expressions of citizen participation based on the interests of collective actors**

The notion of citizen participation is universal; however, in practice, what it means and how it is experienced by different groups is not universal. The history of citizen participation, over the decades, has been the history of struggles and movements over how it is to be defined, who should define it, and deciding whose participation is crucial. Although some of these struggles and movements have been able to create ‘new spaces’ for citizen participation in local democratic governance, in many instances these spaces often do not include the issues, views and perspectives of a large section of citizens in all societies who continue to remain socially, politically and economically excluded. In order to exert their rights, these excluded groups continue to innovate new meanings, new mechanisms and new spaces for citizen participation. Local governance institutions must acknowledge and embrace them to pursue the overall goal of an inclusive society. To put it more succinctly, institutionalised spaces for participation do not exclude other kinds of participation, such as non-violent protest, demand and mobilisation on the street. Citizen participation in local democratic governance needs to combine street actions that engage government from the outside and aim to create public pressure and expect a forthright response from the government along with institutional citizen participation which engages government from the inside, finding common ground for decision-making with government agencies and public officials.

**Acknowledging multiple outcomes of citizen participation**

Citizen participation in local democratic governance should be considered as both a means and an end. The overall universal purposes of local democratic governance are (i) to deepen the roots of democracy, (ii) to ensure justice and equity, (iii) to make the development process more inclusive, and (iv) to ensure effective service delivery. Citizen participation in local democratic governance is to be interpreted, promoted and evaluated in light of both democratic and developmental outcomes. For a long time, both democracy and development as concept and practice each stood on its own; however, they must reinforce each other and citizen participation must be promoted to bridge these two sets of outcomes.

**Shared control and influence over decision-making processes**

The overall purpose of citizen participation is to enhance the degree of shared control and influence of citizens on key decisions related to public policies, institutions and resources. It broadens the bases of decision making, instead of keeping decision making as an exclusive
domain of a handful of experts. As participation enhances inclusivity in society, the final outcome must produce just and equitable governance in society.

**Participation in governance is an innate human right**

Citizen participation in local democratic governance must be considered an innate human right and this must be respected, protected, nurtured and continuously enhanced. This understanding of citizen participation as an innate human right holds governance institutions squarely responsible and accountable to the citizens for fulfilment of such rights, on the one hand, and also obligates citizens to participate actively and responsibly.

**Participation is a political process of developing and enriching collective citizenship**

Citizen participation is a political process of the people directly engaging governance institutions where demands and agenda are presented through collective action with collective interests. It requires a process that builds common objectives and joint strategies for action. It allows for reviving the idea of collectivisation in its multiple meanings, such as social movements, political parties or other collective manifestations that seek social and political transformation.

**Pre-conditions for Participation**

Over the decades, the practice of participation has taught us that in order to make it effective and transformative certain pre-conditions are necessary. The Global Charter highlights some of these important lessons which must be recognised and promoted while designing mechanisms for citizen participation.

**Facilitating access to information**

Citizens can exercise their right to participate only when they also have the right and access to information. Quality of participation is directly proportionate to access to quality of information. Information related to decision-making structures and processes in local democratic governance institutions, and its mandate, policies, programmes and grievance redressal mechanisms are important pre-cursors to effective citizen participation.

**Generating awareness and sensitisation**

The degree of awareness among citizens about their rights and entitlements as well as responsibilities vis-à-vis local democratic governance is crucial for exercising the right to participation. An aware and sensitised citizenry about local governance processes and structures is an important precursor to effective participation. The capacity of citizens to articulate issues and demand solutions from local governance institutions along with their ability to critique public policies and programmes, ask questions and provide evidences and alternative solutions are crucial for ensuring the right to citizen participation.
Creating universalised spaces through collectivisation and mobilisation

Organised citizenry stands a better chance of exercising their right to participation when faced with unresponsive governance institutions. Even in cases where governance institutions are responsive, collective bargaining produces more just outcomes as compared to individual engagement. In this context, capable and resilient citizen organisations with strong leadership which nurture ‘critical mass’ by assimilating multiple views and perspectives at the community level generated by different collectives and also generate alternative policy options and courses of action is an extremely important factor for effective citizen participation.

Creating particularised spaces through building organisation of the excluded and marginalised

Organisation building of hitherto excluded marginalised citizens – women, indigenous people, racial, ethnic and religious minorities, the young and elderly, and other special interest groups whose issues and interests are yet to find a place in mainstream policy discourse – is crucially important for ensuring their participation. In particular, these citizen organisations must be promoted, supported and strengthened, in addition to universalisation of a citizen’s right to participation through universal collectivisation and mobilisation. In this context, recognising the presence of social movements and critical civil society voices as alternative mechanisms for participation and social accountability is equally important.

Enhancing citizen capacities to engage with local governance institutions

The capacities, skills and confidence of citizens and their organisations must be strengthened to promote constructive engagement and negotiation with local governance institutions. In doing so, while existing spaces and mechanisms of participation should be harnessed and utilised, opportunities and support must be provided for continuous facilitation and capacity development to social movements and critical voices as alternative forms of checks and balances in a democracy as well as forms of social accountability and participation. In this context, it is also important that regularity in structured deliberations, use of online technology and efficient designing of participatory mechanisms are promoted by local governance institutions.

Promoting mechanisms for transparency and accountability in local governance institutions

Actualising the right to citizen participation is intrinsically associated with the quality of transparency and accountability of local governance institutions. The capacity and willingness of these institutions to promote and institutionalise various social accountability approaches, methods and tools are crucially important. The ability of local governance
institutions to design mechanisms for seeking citizen feedback about their conduct and performance on a regular basis, ability to act upon the feedback with urgency and communicate the results in a transparent manner are important capacities that these institutions must acquire.

**Promoting multi-stakeholder engagement**

The developmental problems that most local governance institutions need to address are complex and interconnected, the resolution of which requires engagement of multiple stakeholders. In an increasingly complex environment, it is neither possible nor desirable that only local governance institutions make decisions on behalf of all citizens and provide solutions which work for all. As mentioned earlier, while the right to citizen participation should be universalised, particular issues, interests and perspectives of hitherto excluded and marginalised groups must be given priority and their engagement must be ensured. Local governance institutions must also be able to engage other stakeholders, including market and business organisations, to pursue the goal of sustainable, equitable and just development and governance.

**Active and responsible citizen and civil society**

It is ultimately the responsibility of citizens and civil society to ensure their own participation of their own societies in local democratic governance according to the local context. This responsibility cannot be off-loaded or left to local governance institutions alone. When local governance institutions create opportunities for citizens to participate in the co-production and co-financing of services and solutions, the chances of sustainability and ownership by citizens increase manifold. While local governance institutions must enable the environment to ensure the right of citizens to participate, citizens and their organisations along with civil society must participate in the affairs of the local governance institution.

**Spaces and Places for Participation**

The concept of democratic governance has been further enhanced through the decentralisation processes and structures adopted by a large number of countries in the global south and north. A strong argument has emerged that democratic decentralisation of authorities at the local level enhances democratic practices and development effectiveness, inclusiveness, justice and equity.
Figure 1 captures the imagination of the local democratic governance cycle which typically starts with an electoral process. One of the fundamental tenets of representative democracy is elections where multiple political parties (with exceptions where local governance elections are held on non-partisan basis) compete for political authority to assume the responsibility to govern society. All adult citizens must have the right and responsibility to elect such a political party as they think is capable of taking up these governance responsibilities. In a democracy, it is also assumed that such political competitions take place on the basis of rational choices of citizens where every political party will showcase their development agenda in the public domain (through electoral manifestos, political campaigns and so on) and citizens prioritise their informed choice. However, in practice, the so-called ‘rational choice’ is often illegitimately influenced by various electoral malpractices, thereby adversely influencing the objective and practice of ensuring ‘free, fair and just elections’. In order to mitigate the malpractices associated with local governance elections, the rights of citizens to monitor, advocate and participate in electoral practices (including delimitation of constituencies, preparation of electoral lists, setting the election agenda, educating the electorate, etc.) must be ensured in addition to the right to cast votes or to contest elections.

Once a political party or coalitions of several political parties is chosen by the majority of citizens, it sets in the democratic governance regime. The elected government then becomes responsible for developing and formulating policies in tune with its electoral promises, development agenda and emerging governance problems. Policies are the expression of governance and development priorities. All citizens, irrespective of their electorate status, must have the right to participate in such policy formulations. Governance
institutions ultimately responsible for elaboration of policies must organise public discourses and consultations at the local level and ensure transparent mechanisms for citizen inputs in the elaboration of such policies and discuss the possible options and implications of implementing these policies. Governance institutions must remain accountable and provide clarifications in a transparent manner for non-acceptance of any suggestion or demand by citizens, particularly by the hitherto excluded and marginalised.

The policies thus jointly formulated by governance institutions and citizens need to be supported by appropriate allocation of resources and planning on the ground. Once the resources are allocated through a budgetary process, the programmes are planned in detail. Governance institutions must organise public consultations in a transparent manner at the local level and pro-actively solicit suggestions and inputs in prioritising developmental needs, allocation of appropriate resources and elaboration of implementation plans. All citizens, particularly the hitherto excluded and marginalised, must have the right to provide suggestions and inputs in such processes. Governance institutions must remain accountable and provide clarifications in a transparent manner for non-acceptance of any choice articulated by citizens. A certain percentage of resources should also be allocated to citizen groups to manage and co-produce solutions and endogenous accountability measures could be developed by the groups themselves.

It is the responsibility of the democratically elected governance institution to ensure the effective and efficient utilisation of allocated resources as per the budget and plans prepared in consultation with citizens. All citizens must have the right to participate, oversee and monitor the implementation of planned programmes and to make sure resources are spent for the jointly-agreed purpose. The local governance institution must create transparent mechanisms for ensuring that citizens are able to exercise those rights without any obstacles whatsoever. It is expected that the effective and efficient utilisation and spending of resources would bring in desired and planned developmental outcomes and results by ensuring the rights of citizens to monitor and provide feedback on the performance and conduct of governance institutions and their officials.