Local partnerships for Tolerance
Handbook for local elected and appointed councillors
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Evropska unija

Program: European Instrument for Democracy and Human Rights

EIDHR PROGRAM EVROPSKI INSTRUMENT ZA DEMOKRATIJU I LJUDSKA PRAVA OSNOVAN JE KAO INSTRUMENT PODRŠKE EVROPSKE UNIJE RAZVOJU DEMOKRATIJE I UNAPREĐENJU LJUDSKIH PRAVA. PODRŠKA CIVILNOM DRUŠTVU KAO JEDNOM OD KLJUČNIH FAKTORA DEMOKRATSKOG DIJALOGA I REFORMI PREDSTAVLJA TEMELJNO OPREDELJENJE OVOG PROGRAMA KOJI, IZMEĐU OSTALOG, IMA SLEDEĆE CILJEVE:

- Unapređenje poštovanja ljudskih prava i sloboda u zemljama u kojima su ona ugrožena;
- Jačanje uloge civilnog društva u unapređenju ljudskih prava i demokratskih reformi kroz podršku aktivnostima na sprečavanju konflikata i promovisanju participacije i zastupljenosti građana u političkom i javnom životu;
- Podrška unapređenju ljudskih prava i demokratije i aktivnostima utvrđenih u Smernicama EU;
- Podrška jačanju međunarodnih i regionalnih inicijativa za zaštitu ljudskih prava, vladavine prava i demokratije;
- Izgradnja i jačanje mera poverenja i unapređenje transparentnosti demokratskih izbora.

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Local partnerships for intercultural understanding and tolerance
Handbook for local elected and appointed councillors

This Handbook has been produced with the assistance of the European Union. The contents of this publication are the sole responsibility of the Local Democracy Agency and can in no way be taken to reflect the views of the European Union.
Foreword

This Handbook has been developed as an integral component of the project Local Partnerships for Tolerance implemented in Subotica between June 2007 and June 2008. Capacity building component of this project was intended for elected members and volunteers of the neighbourhood community centres and local civil society organisations. Comprehensive training programme consisted of training for trainers and a series of thematic trainings and workshops held in the selected six (out of 36) neighbourhood community centres in Subotica. The main thematic areas selected are closely related with the role of the neighbourhood communities in the system of local government as the tier of government closest to the citizens on one side, while on the other, the thematic frame was to a great extent determined by some of the main findings of the research conducted during initial stage of the project implementation. Intercultural tolerance and understanding through increased citizen participation in decision making served as a general frame for defining some practical and most appropriate approaches to conflict management and resolution skills offered to the participants in the project. These were thought to be easily embraced and applied by the members of elected bodies and the volunteers engaged in the neighbourhood community centres. Therefore the entire training component of this project, composed of the training for trainers seminar, trainings in the neighbourhood community centres and thematic workshops focused on awareness raising, knowledge share and seeking most adequate tools and mechanisms for improving the democratic participation at local level. The following neighbourhood communities were included: MZ Prozivka, MZ Centar 3., MZ Zeljeznicko naselje, MZ Novo Selo, MZ Gat, MZ Mala Bosna.

Designed in a user friendly manner, this Handbook is intended for the neighbourhood community council members, local NGO representatives and volunteers working in multiethnic and multicultural local communities, both as a self-study and a practical guide through the basics of good local governance.
**Introduction**

Capacity building of neighbourhood community centres as the decentralised tier of local self-government in Serbia includes above all the need for training of elected members of neighbourhood communities’ councils on the principles of modern European concept of responsive and effective local self-government with particular regard to mechanisms and forms of citizen participation in decision making. A training programme on conflict resolution skills and intercultural understanding is perceived as an opportunity for bringing local civil society organisations closer to the neighbourhood community centres in order to help establish improved local synergy for development partnerships. However, this implies the need for supporting the concept of an active citizen in the local community and inclusion of diverse citizens groups in the decision making process as one of the key determinants of the level of democratic achievement. It also implies adequate institutional arrangements at local level and their proper functioning, with particular regard to the multicultural local communities. Furthermore, it implies a genuine system of decentralisation of government thus paving the way to the local governments to become more important actors in the further EU integration process.

*From multiculturalism to intercultural governance*

Moving from the traditional concept of multiculturalism to intercultural dialogue and understanding is a process implying the need for improved partnerships and synergy at local level. It particularly implies the need for more effective dialogue and co-operation between the local authorities and local civil society organisations. The terms ‘multiculturalism’ and ‘interculturalism’ are often used interchangeably, but they represent qualitatively different approaches in managing and building on the development potential of ethnic and cultural diversity. The intercultural approach goes far beyond equal opportunities and respect for existing cultural differences, it opens up the perspective of democratic transformation of public space, it introduces the civic culture and institutions. Therefore, it does not recognise cultural boundaries as a fixed category, but as a constantly, ever changing state of art. An intercultural approach strives for facilitating the dialogue, interaction, exchange and reciprocal understanding between people of different cultural backgrounds. Local governments in urban communities therefore need to opt for local policies which prioritise development strategies based upon intersection points of diverse cultures, as opposed to the traditional, well-defined boundaries of recognised ethnic and cultural communities. In other words, city governments should promote interaction and communication across the cultural boundaries, thus opening up the space for cultural, social, and economic innovation. In line with this, the context of planning consultation becomes the public space for good intercultural governance to the benefit of all the citizens and diverse citizens groups, regardless of cultural and ethnic difference.
CHAPTER 1

System of local self-government and citizen participation

Adoption of the 2002 law on local self-government in Serbia marked an end to long years of harsh centralisation and the denial of local authorities’ autonomy, not to mention the competencies enjoyed by most of the local authorities in European countries as determined by the European Charter on Local Self-government. Over the past years, it is the system of local self-government that has benefited most from the democratic reforms and decentralisation of government in Serbia. The inherited political culture of abstention from participation in public life at local level is gradually being replaced with an increased number of authentic local initiatives activating the potential of diverse citizens groups willing to be heard, to be consulted or to take active part in the decision making process.

Notions such as cross-sectoral partnerships, transparency and accountability of performances in the work of local authorities, citizen panels, or forum, direct participation of citizens, are not widely known by the citizens. They are not sufficiently encouraged to get involved or take action in order to help enable the local authorities to perform their responsibilities more effectively.

Increased participation of citizens in public life, and more specifically in the decision-making process, improves the legitimacy and quality of the decisions taken by the local authorities. Encouraging the participation in the process of debating, adopting and implementing the decisions is a way to increase the potential of local civil society. In many ways, the increased participation contributes to good local governance. Effective and responsive local government relies on public confidence in elected councillors and appointed public servants. Good local governance strengthens the credibility of the public service provided to the citizens. Only good local governance operates in an effective, economic and ethical manner.

The right to participation in decision making at local level is not a gift awarded to the citizens by the local government or central authorities, but rather a fundamental right integrated in the principle of democratic governance – commonly accepted by the member states who joined the European Charter of local self-government of the of the Council of Europe. Serbia ratified the Charter in 2007 and it is effective as of 2008. European Charter on Local self-government and more specifically the Recommendation no. 19 (2001) “Participation of Citizens in Local Public Life” by the Committee of Ministers of the Council of Europe recommends that the governments of member states:

1. frame a policy, involving local and - where applicable - regional authorities, designed to promote citizens’
participation in local public life, drawing on the principles of the European Charter of Local Self-Government adopted as an international treaty on 15 October 1985 and ratified to date by a large majority of Council of Europe member states, as well as on the principles contained in Appendix I to this Recommendation;

2. adopt, within the context of the policy thus defined and taking into account the measures listed in Appendix II to this recommendation, the measures within their power, in particular with a view to improving the legal framework for participation and ensuring that national legislation and regulations enable local and regional authorities to employ a wide range of participation instruments in conformity with paragraph 1 of Recommendation No. R (2000) 14 of the Committee of Ministers to member states on local taxation, financial equalisation and grants to local authorities;

3. invite, in an appropriate way, local and regional authorities: - to subscribe to the principles contained in Appendix I to this recommendation and to undertake the effective implementation of the policy of promoting citizens’ participation in local public life;

4. to improve local regulations and practical arrangements concerning citizens’ participation in local public life, and to take any other measures within their power to promote citizens’ participation, with due regard for the measures listed in Appendix II to this recommendation;

5. ensure that this recommendation is translated into the official language or languages of their respective countries and, in ways they consider appropriate, is published and brought to the attention of local and regional authorities;

Decides that this recommendation will replace Recommendation No. R (81) 18 concerning participation at municipal level.

Appendix I

Basic principles of a local democratic participation policy

1. Guarantee the right of citizens to have access to clear, comprehensive information about the various matters of concern to their local community and to have a say in major decisions affecting its future.

2. Seek for new ways to enhance civic-mindedness and to promote a culture of democratic participation shared by communities and local authorities.
3. Develop the awareness of belonging to a community and encourage citizens to accept their responsibility to contribute to the life of their communities.

4. Accord major importance to communication between public authorities and citizens and encourage local leaders to give emphasis to citizens’ participation and careful consideration to their demands and expectations, so as to provide an appropriate response to the needs which they express.

5. Adopt a comprehensive approach to the issue of citizens’ participation, having regard both to the machinery of representative democracy and to the forms of direct participation in the decision-making process and the management of local affairs.

6. Avoid overly rigid solutions and allow for experimentation, giving priority to empowerment rather than to laying down rules; consequently, provide for a wide range of participation instruments, and the possibility of combining them and adapting the way they are used according to the circumstances.

7. Start from an in-depth assessment of the situation as regards local participation, establish appropriate benchmarks and introduce a monitoring system for tracking any changes therein, in order to identify the causes of any positive or negative trends in citizen participation, and in order to gauge the impact of the mechanisms adopted.

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.

With the very act of election of their representatives in local or central representative bodies (assemblies), citizens are not fully delegating their sovereign rights to manage their local community and their state, but are entitled to take active part in public and political life during the term in office of a government at any level.

Development of new innovative practice in informing, consultation and participation of citizens require additional support measures, including:
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- Further decentralization of government as one of the prerequisites of democratic reforms
- Increased competences of the local self-government units, with particular regard to local economic development and their right to property;
- Improvements in existing local electoral systems and implementation of the system of election of members of municipal assemblies in order to ensure more balanced representation of geographic regions and particular groups of citizens in municipal assemblies;
- Improvements in the status of a (local) neighbourhood communities as decentralised tiers of local self-government.

Most frequently mentioned benefits of improved citizen participation in the research conducted in the neighbourhood community centres were related to: more effective identification of development priorities, improved service provision, better planning of local development and increased number of volunteers.

Neighbourhood communities as decentralised tiers of local self-government contribute to:

- openness-transparency of work local self-government and better information provision to citizens;
- dialogue-open public space for development of adequate and timely consultation of citizens, citizens groups, on a wide range of issues relevant for the local community (citizens panels, forum);
- shared responsibilities in decision-making on the most important issues of local public life.

The culture of political participation requires raising awareness and knowledge on civic activism, while the cooperation and partnerships of local authorities with non-governmental organizations plays a very significant role. Local authorities need to communicate with and understand the messages conveyed by the local non-governmental sector, in order to find the best possible solutions for supporting it. Existence of associations of citizens and non-governmental organizations is the evidence of the democratic potential at local level and a guarantee of sustainable development. Non-governmental organizations may help overcome the problems related with passivisation citizens or abstention from the public life. In addition, non-governmental organizations are also significant for providing informal education and training programmes, awareness raising on democracy and human rights, striving for intercultural understanding and tolerance, minority rights promotion, gender equality, youth participation, and the promotion of European values and standards. Moreover, with active participation in non-governmental organizations, citizens can overcome the barriers related to inaccessibility of public institutions.

Recognition and respect for the needs and interests of the citizens, the articulation of these needs and interests and their subsequent public representation by civil society organisations is significant both for raising awareness and activating the development potential in every community. Transparent procedures for distribution of funds to local NGO-s, backed by a signed protocol on cooperation, may improve their local visibility and serve as an incentive for follow-up actions. Such cooperation could allow the participation of non-governmental organizations on advisory bodies and commissions, joint organization of various events, partnership in the realization of forms
of citizen consultation, or the engagement of NGOs to provide specific, individual services to the local community. Realization of joint activities, giving a larger role to non-governmental organizations, and establishing of a process of mutual consultations, should strengthen broader activism and awareness of citizens, and thus give the citizens a larger and more direct role in local public life. Finally, the cooperation between the local authorities and non-governmental organizations should not jeopardize the quality and independence of associations of citizens, and should allow the associations of citizens to give a positive contribution to the democratic practice at the local level.

Establishing a dialogue between the civil society and the local government through the process of consultation should also be considered as an opportunity for the citizens to become a key factor in the local self-government change management. In addition, the process of consultation respects the creativity and diversity of opinions that can improve the outlook of a decision, or the quality of a sectoral policy being created.

In addition to promoting the existing ones, the implementation of new, innovative forms of consultation with citizens should also be taken into consideration. Useful methods used in comparative practice in many European countries include good examples of Focus groups, Citizen panels and Citizen forums. A wide range of institutional arrangements have been put in place so far, including Local offices or contact points for gender equality, youth participation, vulnerable groups, etc.
CHAPTER 2

INTERCULTURAL UNDERSTANDING AND TOLERANCE

Intercultural understanding and the respect for equal rights of all ethnic communities are the fundamental principles and values that became increasingly important in the process of decentralization of government and consequent widening of the scope of competencies at local level. Within the scope of increased competencies, local economic development, and municipal property management are the areas requiring adequate institutional arrangements in accordance with the European standards. Democratic participation in multiethnic local communities is therefore even more important and requires effective participatory mechanisms and institutions in place, such as the institutions determined also by the municipal acts, as the consultative bodies, above all:

- Council for interethnic relations
- Council for development and protection of local self-government
- Council for local economic development
- Council for inclusion of Roma

Competencies of the Council for Interethnic Relations

The main competencies defined by the Law are:

To inform the municipal assembly on its positions and proposals, and the assembly shall render an opinion there upon at its next session, but not later than within 30 days; To initiate the procedure before the Constitutional Court for the assessment of the constitutionality and legality of a decision or other general act of the assembly if it considers that it directly violates the rights of national and ethnic communities represented in the Council for Interethnic Relations, and to initiate the procedure before the Constitutional Court for the assessment of compliance of the decision or some other general act of the municipal assembly with the statute of the municipality under the same conditions; By the decision of the municipal assembly other competencies of the Council can also be established. With close co-operation and participation of the local civil society organisations, representatives of minority communities, the Council could encourage the public space for constantly open dialogue and serve as a model of good intercultural governance. It could also promote:

- The culture of conflict prevention and resolution
- Active contribution to the respect for cultural diversity
- Encouraging the public space for intercultural dialogue and understanding
- Consultations with the members of minority communities on issues related with
minority rights protection in the local community
- Co-operation with all the ethnic minority councils in the municipality
- Pro-active co-operation with local civil society organisations, education institutions

Council for development and protection of local self-government

Local authorities may establish this council with the aim to enable improved democratic participation of citizens in support to development and protection of the local self-government. Members are elected councilors and citizens of different professions, experts and practitioners working together in the interest of development of the local community and legal functioning of the local self-government. Local self-government may also establish the Council for local economic development in order to encourage wider participation in the process of development visioning process, implementation of development strategy and more effective realisation of the goals of local economic policy.

Council for local economic development

Local authorities may establish the Council for local economic development, as a participatory body composed of the representatives of local public, civil and private sectors with the aim to help co-ordinate the activities in preparing, adopting and implementing the local economic development strategy. Adoption of the local economic strategy is one of the key prerequisites for effective implementation of development priorities, while the Council has, inter alia, the following competencies:

- Propose measures and activities necessary for developing an adequate frame for public consultations on economic development priorities
- Propose measures and activities to be taken in order to help implement an Action plan for realisation of the Strategy
- Help initiate the consultations and public debate on specific measures relevant for implementation of the local economic development strategy
- Adopts proposals for dynamics of implementation of measures in different sectoral policies, identifies the key actors and institutions responsible for specific projects

Council for inclusion of Roma

Where necessary, local authorities may establish the Council of inclusion of Roma in accordance with the relevant strategies adopted at national level, in order to:

- Support measures aimed at inclusion of Roma in education institutions
• Encourage the implementation of measures and actions aiming at improved social care and protection of marginalised groups
• Encourage more effective co-operation between Roma ethnic minority councils with respective public institutions and education facilities.

Ombudsman Office

Local self-government may establish the Ombudsman office for the protection of individual and collective human rights in the local community. Its main responsibility is the protection of the citizens before the law; control of the legal functioning of the local administration and local institutions, represent the citizens whose rights are violated in different proceedings and administrative disputes. Ombudsman Office has been established in local multiethnic communities in Vojvodina.
CHAPTER 3

Causes and consequences of conflict

Defining conflict
Conflict is a word that we are all familiar with and may use very often in our daily lives, yet what does it actually mean? It is only when we begin to consider what the term means that some of the problems with it begin to become apparent. When introducing the concept of conflict resolution it is often useful to get the people considering the issue to try and define ‘conflict’, either individually or in groups. The purpose of such a task is simple, how can we resolve something we do not understand? What usually happens is that the people in the group will define ‘conflict’ in such a way that it is seen as a negative concept. If you list together all the terms and/or definitions that people come up with of ‘conflict’ and ask people to divide them between ‘positive’ and ‘negative’ statements, the ‘negative’ list will be far longer than the positive one. This is understandable (and indeed justifiable) given that the word itself is usually applied to negative situations. But is conflict always a negative situation?

Numerous definitions of ‘conflict’ exist. Standard dictionary definitions of conflict usually describe it with terms such as ‘fight or struggle’ or ‘hostilities’. Whilst this helps us understand the term in a general way more specialist definitions may help deepen our understanding and can be more useful when we consider how to resolve or transform conflict. Peter Wallensteen argues that conflict is “a social situation in which a minimum of two actors (parties) strive to acquire at the same moment in time an available set of scarce resources”1. This introduces a new and important consideration, that of scarcity. Conflict is very often the result of scarcity. It can also be argued that not all conflicts are material in origin and other issues need to be considered, such as respect, human rights and negative attitudes to another individual or group given that many conflicts have an ethnic, religious or linguistic basis, at least in part. But even these conflicts can be accommodated to a certain extent in the above definition. The negative view that may be held of ‘others’ by individuals or groups, may be due to a fear that the ‘others’ are taking more than their share of the resources (or that they should not even have a share). This leads to the observation sometimes made that conflict is always caused by ‘greed or grievance’. When conflicts emerge there is often a division into ‘camps’, with people taking sides. This is the case at almost every level of conflict, be it a full scale ethnic conflict that may undermine an entire state, or a far smaller conflict at a local level between a particular group and the local government, or even in a work or family setting. Often it is very difficult to stay out of conflict despite attempts to do so, given the expectation or demands that everyone chooses a ‘side’.

However, as suggested earlier conflict does not have to be negative. It is not the conflict itself that is necessarily the problem but how the conflict develops and how it is dealt with that is the key. Conflict is unavoidable in human

life, not only because of the issue of scarce resources but also perhaps because of human nature. Conflict can though be seen as a positive factor as it highlights challenges that need to be addressed and potential problems that need to be resolved. If such challenges are met successfully then the outcome that results from conflict resolution initiatives can leave the parties to the conflict in a better situation than they were before the conflict materialised.

**Resolving conflict**

Conflicts can of course be resolved in many ways. The classical view of conflict resolution is related to the idea of ‘might is right’. The traditional view was that conflict was resolved by power realities, a view expressed in the 5th century BC as ‘the strong do what they have the power to do and the weak accept what they have to accept’. So, according to such a view, when conflicts emerge the most powerful will prevail and will win. This view reflects a win-lose (or zero-sum) view of resolving conflict. Given that the conflict is in part likely to be around a scarce resource, all sides cannot have as much of the resource as they wish, so whoever ‘wins’ secures the resource for themselves, and whomever ‘loses’ goes without. But such views of conflict have long been questioned. The problem with such approaches is that the ‘cost’ of the conflict, even to the ‘winner’ may be so great as to leave all parties worse off than they were before the conflict. The desired outcome is win-win, whereby conflicts are resolved in such a way as to leave all parties in a better position than they were before the conflict began, or at least in a better position than they would have been if they allowed the conflict to escalate. The question is, of course, how do we get from escalating conflict to a win-win resolution?

**The problems of perception**

A major problem in resolving conflict is that, in general, the position of each party to the conflict is completely justified and their actions appropriate to the situation, according to their perception. Conflicts are rarely irrational or baseless. Each side believe that they are in the right and it is the others that are in the wrong. Such beliefs are difficult to change, very often because of the fact that most conflict resolution attempts tend to take place when the conflict has already escalated and it is at such a stage that the parties’ positions have become fixed and their willingness to compromise may be relatively low. Once a conflict has escalated relations between the parties are likely to be poor, with the sides not trusting each other. In such an environment it is difficult to get groups to make the compromises that are essential to resolve conflict. There is a school of thought that argues that conflicts must be ‘ripe’ to be resolved and that ‘ripeness’ may only be reached when the sides are in a ‘mutually hurting stalemate’. This is, however, a rather negative view and one that potentially suggests that the parties need to experience ‘hurt’ from the conflict. An alternative view is that whilst it may be easier to resolve conflict when it is emerging rather than when it has escalated, conflicts are potentially resolvable at every stage and attempts to resolve the conflict should be made whenever possible.

Given the problems associated with how parties perceive the conflict it is useful to try and get all sides in conflict to analyse their perceptions. An interesting way of doing this is to construct a ‘perceptions of the conflict’ exercise. The problem is that when discussing the actual conflict that they are party to individuals or groups tend to see any discussion of their conflict as chance to assert their case rather than examine how the situation might appear to the other parties. To avoid this it is often useful to get the parties to discuss a hypothetical situation or a conflict in their
local community that they are all aware of but is not related to the issues that are the cause of their own conflict. Once a case study has been selected break the participants into groups and get them to do three things, firstly identify the ‘parties’ to the conflict. By this we mean any individuals or group of people who have a stake in the issue under consideration and are likely to be affected by the outcome, whether to their advantage or disadvantage. The groups can then discuss who they have identified as a party to the conflict and why. It will usually be the case that different groups have a different list of parties to the conflict. Discuss why this may be the case. The differences highlight the fact that very often we fail to agree on matters as fundamental as who actually has a legitimate interest in an issue and fail to spot some people who may be affected. This hopefully causes those undertaking the task to begin to realise the complexity of conflicts and the problems of differing perceptions. Once the participants to the conflict have been identified, identify those who the groups believe are the key participants in the dispute. Assign a different conflict participant to each of the groups in the exercise.

For the second task ask each group to go and discuss how their allotted participant sees the issue that is causing the conflict. Each group compiles a list of all the relevant factors they can see regarding the issue and then prioritise these by making a list with the most important issue at the top and the least at the bottom. (Remember they are to do this from the standpoint of ‘their’ group’s perception).

For the third stage have the groups reconvene and compare lists. How can the differences between the lists be explained? What points are you surprised at from other groups’ lists, why are they there? This should provoke a discussion regarding perception. Even though all groups were examining the same issue the fact that they were examining it from different viewpoints is likely to mean that their perception of the issue was different to that of other participants. (A discussion on how such alternative perceptions can be overcome, or their impact reduced, can be used extend the exercise.)

The purpose of exercises like the one above is not, of course, to try and resolve hypothetical conflicts, but to try and increase awareness amongst groups in conflict of the problems of competing perceptions. Given the tendency of individuals to join ‘sides’ in conflict situations a dynamic can emerge whereby such sides offer their members self-justifications and reinforce their perception of the conflict. The exposure of individuals to those from the other ‘side’ is often limited and so there is little understanding of, or indeed need to consider, alternative perceptions of the conflict. This can reinforce the belief that your side’s position is reasonable, theirs is unreasonable, therefore you should get what you seek, they should give in. However, given that the same dynamic is likely to be underway on the other ‘side’ the chances of resolving the conflict reduce as the intransigence of each side increases.

**Communication**
Related to the issue of the problems of perception, a major barrier to resolving conflict is the difficulty of effective communication. Perceptions and misperceptions that parties often hold of those they are in conflict with can at times be improved if the avenues of communication between the sides are improved. It is often useful to get parties to a conflict to examine the avenues of communication that exist between them. It is frequently the case that
there is disagreement between the parties regarding the existence and effectiveness of avenues for communication between the parties. This is an example of differing perceptions that can have a real impact on both the cause of the conflict and the chances of resolving it. This is particularly common and problematic when there is a power disparity between the parties (an asymmetric conflict). The more powerful side may believe that there are ample opportunities for the other parties to communicate their problems or concerns to them. If this view is not shared by the weaker parties it can lead to increasing frustration, mistrust and feelings of powerlessness on their part, which may lead to conflict escalation. If parties can be encouraged to review both the channels of communication that exist and their effectiveness, this can reverse the process. (Leading the smaller parties to believe they have an avenue to highlight their concerns to the more powerful group, increasing trust and alleviating frustration. It can also be useful for the more powerful party as it can enable them to find out about, and address, the concerns of the smaller parties, thus resolving existing conflict and reducing the likelihood of future conflict escalation).

Disputes between local governments and groups of citizens or NGOs often fit the pattern above. The local authority holds more power and controls more resources than the citizens’ groups but effective communication between the two sides is essential for the development and harmony of the region. Citizens may feel that their voice is either not heard or not heeded by the local government and local government may be unaware of the needs and complaints of particular groups of citizens in their area. If this situation is not addressed then trouble often follows, leading not only to immediate problems between the two groups but a wider alienation of citizens from both the local government and from the political process more generally. To this end it is essential that the lines of communication between citizens and local government are effective and publicised. Meetings between the local government and citizens’ representatives or NGOs can be very useful in this regard. In such meetings it can be productive to divide the groups up and ask each to draw two boxes, one marked ‘local government’ and the other ‘citizens’. The sides should then chart all the avenues of communication between the two ‘boxes’. When they have done this the groups should compare and discuss their lists. Issues that might be considered include:

- Who originates communication?
- When does communication occur?
- How effective is the communication?
- What other avenues could be/should be used?

It is useful to try and encourage the representatives to try and institutionalise new avenues for communication or formalise existing avenues that might occur on an irregular basis (e.g. agree that certain individuals will meet an agreed amount of times a year to discuss issues and report back to their communities/colleagues etc.).

Of course communication is only one tool to try and resolve conflict. As noted above the conflict will, at least in part, be related to competition for scarce resources. However, it is important that all groups know how resources are allocated and that there is transparency in the process. Improved communication can be an important factor in achieving this. Whilst not everyone will get all they want, if all believe the process to be fair they are more likely to accept how resources are allocated and work together for the common good of the region.
Citizens’ rights, theory vs. reality

Whilst there is increasing acceptance that citizens should have certain rights there is often a division between what theoretically these rights are and whether in reality citizens enjoy such rights. Citizens are often unaware of their rights and how to make sure they benefit from them. This may not be the result of any sinister or underhand tactics by those in authority. It is often the case that the citizens do not ask for what they are entitled to and so the figures in authority either do not realise the rights are not being enjoyed by citizens or do not feel compelled to alter the current position. Such a situation can again though lead to conflict. Groups of citizens may ultimately feel aggrieved by the failure of those in authority to deliver what they believe they are entitled to, whereas the authority themselves may not be aware that the citizens do not have the rights or indeed that they are entitled to them. This potential cause of conflict can again be addressed by improved communication between citizens and those in authority and an increased awareness on all sides of what the rights are. Very often lists of rights (and obligations) for citizens exist but are not widely publicised. Citizens’ groups and NGOs as well as local governments themselves have a role to play in both publicising what citizens are entitled to (and what their own obligations are) and highlighting shortcomings so they can be corrected.

Related to this an interesting exercise is to get citizens’ groups representatives and members of the local government to draw up a list of what they believe the rights of citizens’ should be and compare and discuss their lists. Then give the groups a document that outlines what various official bodies argue citizens’ rights are (e.g. the local citizens’ rights document, if there is one, the state’s law on the rights of citizens, which will exist, The UN Declaration on Human Rights, etc.). The groups can then compare their own list to the official documents and discuss differences. The final part of the exercise is to get the groups to consider in what ways the citizens of their own region do enjoy the rights that the official documents suggest they are entitled to, if they do not, why not, and what can be done to change the situation?

Conclusion

Every conflict is unique and as a result every conflict resolution attempt must be tailored to the particular needs and challenges of the situation and parties in question. None of the suggested tools or observations above will ensure that a conflict is resolved. Yet all of the above need to be kept in mind when thinking how a particular conflict might be reduced, even if it does not seem resolvable at a particular point. It would be going too far to suggest that conflict should be welcomed as a positive. As we have seen conflicts tend to have negative characteristics, but this does not mean conflict itself is negative. Given the problems and issues that conflicts highlight they can be instrumental in forcing a re-evaluation of situations that need to be changed. The difficulty is not only in resolving the conflict but doing it in a way that can fit the win-win model rather than the win-lose outcome. Getting parties in conflict to critically examine their perceptions of that conflict and to consider how they communicate with the other ‘side’ may not, on its own, resolve the problem. It may though be instrumental in improving the situation and help to create an atmosphere in which resolution is more likely. It is important that we neither underestimate the potential damage that an escalating conflict can do, nor the importance of seeking to resolve conflict and the possibility that this can be achieved.
What is conflict?

1. “Conflict is the consequence of differences that exist and that need to be managed... Conflict is also: inevitable, neutral to positive, on the issue and not the person, and, a source of energy. Conflict is the result of differences, not the cause of them.”

   Peter Block, *Managing Differences and Agreement* (1985)

2. **Conflict Management Styles**
   - 1. Competing. Assertive and uncooperative behavior concerned with your desires not theirs.
   - 2. Accommodating. Unassertive and cooperative behavior not concerned with your concerns only want to satisfy the concerns of others.
   - 3. Avoiding. Unassertive and uncooperative behavior that does not seek to meet either your interests or the interests of others.

3. **Conflict Management Styles**
   - 4. Collaborating. Both assertive and cooperative behaviors that emphasize working with the other party to satisfy both your concerns and theirs.
   - 5. Compromising. An in-between position on both assertiveness and cooperation often referred to as splitting the difference, seeking a quick middle-ground position.
What’s my job?

1. Nurse
2. Dentist
3. Serial murderer
   - Professor
   - Lawyer
4. Policeman
   - Poet
CHAPTER 4

Neighbourhood communities – revival of urban culture and citizen participation

Neighbourhoods are not in decline, on the contrary, they seem to become an increasingly important urban (or rural) subsystem at the local scale, based on the principle of proximity. They can have different forms, they can be inhabited by different groups and community members - people from all over the country (or former war and conflict affected zones of the country) and all walks of life. Such communities may represent a human mosaic, a cultural mix which is both fascinating and challenging from the point of good local governance. They may be enriched with diverse community organisations such as youth groups, minority communities or women's associations which may pose a significant component of the neighbourhood’s cultural and social landscape. Their activities, some traditional (ethnic cultural programmes) and others innovative, may take place in a community centre or a cultural centre located in the neighbourhood. They may be initiated by a community organisation or the neighbourhood council. Each neighbourhood, secondary centre and city centre has its own atmosphere, generated by its inhabitants, way of life, topography, history and architecture. Such a variety integrated in the urban cultural heritage is becoming increasingly important in terms of its development (regeneration) potential. Decentralisation and increased competences of the local self-government inevitably pose the question of administrative capacity to manage the organisation change – with particular regard to the role and competencies of the neighbourhood communities. Six neighbourhood communities selected in this project are facing similar challenges – gradual shifting from the traditional meeting points of the ethno cultural clubs or pensioners’ clubs, towards development oriented institutions of the local self-government. The process require information and knowledge, adequate skills and administrative capacity. Some examples given below are the illustration of their efforts.
NEIGHBOURHOOD COMMUNITY “PROZIVKA”

1. Neighbourhood community “PROZIVKA”
   28300 Subotica, Rade Drmić 34
   tel: 034/524-467
e-mail: mzprouzivka@tisprent.co.rs

2. Statistics:
   - Total urban area zone—MZ “PROZIVKA”: 89,48 ha
   - Number of buildings: 77
   - Number of apartments: 3,381
   - Number of houses: 215
   - Population: 12,000

3. Macro location MZ “PROZIVKA”
   BEogradski put

4. Commissions and working groups of the Neighbourhood council:
   1. Sport and youth
   2. Social care
   3. Health protection
   4. Environmental protection
   5. Communal infrastructure
   6. Construction and regeneration
   7. Public security
   8. Culture education
   9. Cooperation with NGO’s
   10. Social affairs
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ROMA EDUCATION CENTRE

1. Common interests in overcoming the differences and in conflict resolving

ROMA EDUCATION CENTRE

2. Magic circle of poverty

ILLITERATE ➔ UNEMPLOYED ➔ POOR

3. Roma population (2002. census)

<table>
<thead>
<tr>
<th>AGE</th>
<th>ENROLLED POPULATION</th>
<th>% RROMA</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-4</td>
<td>575</td>
<td>1.0%</td>
<td>571</td>
</tr>
<tr>
<td>5-9</td>
<td>295</td>
<td>1.7%</td>
<td>354</td>
</tr>
<tr>
<td>10-14</td>
<td>1,005</td>
<td>1.8%</td>
<td>587</td>
</tr>
<tr>
<td>TOTAL</td>
<td>2,875</td>
<td>1.7%</td>
<td>1,541</td>
</tr>
</tbody>
</table>

4. Number of Roma children in Subotica, ECR 2006 data base

- Total number of citizens according to the 2002 Census: 148,401
- Total number of Roma: 1,423 or 0.98% of the population

ECR sample of 255 families with the children aged: 5-18

<table>
<thead>
<tr>
<th>AGE</th>
<th>Education level</th>
<th>Number of children</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-4</td>
<td>Child care</td>
<td>313</td>
</tr>
<tr>
<td>5-9</td>
<td>Kindergarten</td>
<td>52</td>
</tr>
<tr>
<td>5-7</td>
<td>School</td>
<td>154</td>
</tr>
<tr>
<td>10-14</td>
<td>Elementary school</td>
<td>761</td>
</tr>
<tr>
<td>15+</td>
<td>Secondary school</td>
<td>17</td>
</tr>
<tr>
<td>16+</td>
<td>University</td>
<td>8</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>1,488</td>
</tr>
</tbody>
</table>

5. Conditions for successful inclusion of Roma child in education system by related with interaction established between:

1. Roma family
2. Social environment
3. Local government
4. Successful mediation – NGO's

6. Roma family

In the first and most responsible link in the education chain, awareness raising campaign among the Roma parents was named Roma coffee break – gathering with Roma parents and local authorities about problems with the children. Participating – involved parents, psychologists, principals, Roma NGO's, successful individuals.
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7.

EXEMPLARY PRACTICE: In the Roma settlement located in Neighbourhood community, health problems and in the education systems, a cooperation of the Roma in education system is conducted by NGO's and includes the work with Roma families, who represent the Roma interests in schools and in the local neighbourhood. For the first time a common solution was sought for a common problem: mixed schools in the settlement. This has become an instrument for improved communication between the two communities.

8.

INTERVENTIONS

System

- Interventions to increase the scale of Roma children's education system
  - Teaching
    - Changing the school with special and Roma students
    - Improving the quality of teaching
- Mentoring
- Psycho-education, pedagogy
- Monitoring

9.

LOCAL GOVERNMENT

Local government should adopt the acts to regulate facilitated access of Roma children to education system

Example of good practice: Local government in Sibiu implemented a forum for inclusion of Roma in education system. Increased meeting and coordination with NGOs and schools. The main step is the local legislature support to inclusion of Roma children in education system.
CHAPTER 5

European Standards

1. CHARTER OF FUNDAMENTAL RIGHTS OF THE EUROPEAN UNION

The peoples of Europe, in creating an ever closer union among them, are resolved to share a peaceful future based on common values.

Conscious of its spiritual and moral heritage, the Union is founded on the indivisible, universal values of human dignity, freedom, equality and solidarity; it is based on the principles of democracy and the rule of law. It places the individual at the heart of its activities, by establishing the citizenship of the Union and by creating an area of freedom, security and justice.

The Union contributes to the preservation and to the development of these common values while respecting the diversity of the cultures and traditions of the peoples of Europe as well as the national identities of the Member States and the organisation of their public authorities at national, regional and local levels; it seeks to promote balanced and sustainable development and ensures free movement of persons, goods, services and capital, and the freedom of establishment. To this end, it is necessary to strengthen the protection of fundamental rights in the light of changes in society, social progress and scientific and technological developments by making those rights more visible in a Charter. This Charter reaffirms, with due regard for the powers and tasks of the Community and the Union and the principle of subsidiarity, the rights as they result, in particular, from the constitutional traditions and international obligations common to the Member States, the Treaty on European Union, the Community Treaties, the European Convention for the Protection of Human Rights and Fundamental Freedoms, the Social Charters adopted by the Community and by the Council of Europe and the case-law of the Court of Justice of the European Communities and of the European Court of Human Rights. Enjoyment of these rights entails responsibilities and duties with regard to other persons, to the human community and to future generations. The Union therefore recognises the rights, freedoms and principles set out hereafter.

Article 21
Non-discrimination
1. Any discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation shall be prohibited.

2. Within the scope of application of the Treaty establishing the European Community and of the Treaty on European Union, and without prejudice to the special provisions of those Treaties, any discrimination on grounds of nationality shall be prohibited.
**Article 22**
Cultural, religious and linguistic diversity
The Union shall respect cultural, religious and linguistic diversity.

**Article 23**
Equality between men and women
Equality between men and women must be ensured in all areas, including employment, work and pay. The principle of equality shall not prevent the maintenance or adoption of measures providing for specific advantages in favour of the under-represented sex.

**Article 24**
The rights of the child
1. Children shall have the right to such protection and care as is necessary for their well-being. They may express their views freely. Such views shall be taken into consideration on matters which concern them in accordance with their age and maturity.
2. In all actions relating to children, whether taken by public authorities or private institutions, the child’s best interests must be a primary consideration.
EUROPEAN CHARTER OF ACTIVE CITIZENSHIP

GENERAL PRINCIPLES

1. Right to Participation
Each individual has the right to actively participate, through Autonomous Citizens’ Organizations (ACOs), in public life. Public life refers to situations and places where issues of general interest are dealt with, including the fields of action addressed by Public institutions. Therefore, ACOs shall be considered as one of the key players when setting the public agenda; they shall have the opportunity to directly participate in the entire policy-making process, according to the criteria of involvement, as defined in article 19. Autonomous Citizens Organizations shall contribute to the decisions right from the beginning of the decision-making process, and not when the decisions have already been taken.

2. Role of Public institutions
Public institutions value and encourage ACOs’ activities aimed at protecting rights and/or preserving the common good and/or general interest.
Public institutions in the European Union – that is local, national and EU institutions - shall remove the obstacles to the development of ACOs’ activities and support them, particularly by putting in place adequate instruments, systems and processes to promote greater participation; formulating policies in a transparent and clear manner; supporting and collaborating in ACOs’ autonomous initiatives and working in partnership with them on common projects.
Public institutions shall call for the views of ACOs, encouraging their participation in decision-making processes.
Finally, Public institutions shall integrate the lessons learned from the best practices in their work standards.

3. Responsibilities of Autonomous Citizens Organizations
ACOs have the responsibility to contribute to the promoting a greater European awareness among citizens and to increasing people’s participation in the Union’s democratic life. In doing so, they shall comply with the following requirements:
   a. Accountability towards their members and their constituency at large.
   b. Transparency, especially on financial matters.
   c. Independence from other actors.
   d. Democracy in their structure and procedures.

ACOs shall promote the interests and aspirations of citizens, conveying them to local, national and EU policy-makers.
ACOs shall provide citizens with concrete opportunities to work together and participate in the construction of the EU through European, national and local projects and initiatives.

When ACOs bring to the political agenda new issues or problems they shall propose the appropriate measures to address them and shall also motivate their opinions and demands.

Public institutions shall support ACOs in taking on their civic responsibilities and shall encourage their compliance with the four basic requirements\(^2\).

2. European Charter on Local Self-government

Council of Europe, 1985

**Article 3 – Concept of local self-government**

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

2. This right shall be exercised by councils or assemblies composed of members freely elected by secret ballot on the basis of direct, equal, universal suffrage, and which may possess executive organs responsible to them. This provision shall in no way affect recourse to assemblies of citizens, referendums or any other form of direct citizen participation where it is permitted by statute.
Considering that the creation of a climate of tolerance and dialogue is necessary to enable cultural diversity to be a source and a factor, not of division, but of enrichment for each society;

Considering that the realisation of a tolerant and prosperous Europe does not depend solely on co-operation between States but also requires transfrontier co-operation between local and regional authorities without prejudice to the constitution and territorial integrity of each State;

Having regard to the Convention for the Protection of Human Rights and Fundamental Freedoms and the Protocols thereto;

Having regard to the commitments concerning the protection of national minorities in United Nations conventions and declarations and in the documents of the Conference on Security and Co-operation in Europe, particularly the Copenhagen Document of 29 June 1990;

Being resolved to define the principles to be respected and the obligations which flow from them, in order to ensure, in the member States and such other States as may become Parties to the present instrument, the effective protection of national minorities and of the rights and freedoms of persons belonging to those minorities, within the rule of law, respecting the territorial integrity and national sovereignty of states;

Being determined to implement the principles set out in this framework Convention through national legislation and appropriate governmental policies,

Have agreed as follows:

**Article 1**

The protection of national minorities and of the rights and freedoms of persons belonging to those minorities forms an integral part of the international protection of human rights, and as such falls within the scope of international co-operation.

**Article 2**

The provisions of this framework Convention shall be applied in good faith, in a spirit of understanding and tolerance and in conformity with the principles of good neighbourliness, friendly relations and co-operation between States.

**Article 3**

1. Every person belonging to a national minority shall have the right freely to choose to be treated or not to be treated as such and no disadvantage shall result from this choice or from the exercise of the rights which are
connected to that choice.

2. Persons belonging to national minorities may exercise the rights and enjoy the freedoms flowing from the principles enshrined in the present framework Convention individually as well as in community with others.

Section II

Article 4

1. The Parties undertake to guarantee to persons belonging to national minorities the right of equality before the law and of equal protection of the law. In this respect, any discrimination based on belonging to a national minority shall be prohibited.

2. The Parties undertake to adopt, where necessary, adequate measures in order to promote, in all areas of economic, social, political and cultural life, full and effective equality between persons belonging to a national minority and those belonging to the majority. In this respect, they shall take due account of the specific conditions of the persons belonging to national minorities.
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