

Anna Mielczarek-Żejmo*

**FORMAL FRAMEWORK FOR PARTICIPATION
IN MUNICIPALITIES OF THE POLISH-GERMAN
BORDER REGION**

The idea of participation has been promoted in the EU member states for several decades as one of the conditions necessary for the success of social-economic processes at all levels of social life (Wódz, Wódz 2007, Kurczewska 2014). Its role was emphasized for instance in the Treaty establishing the European Community (Nice 2000) and the Charter of Fundamental Rights of the European Union (Nice 2000). The obligation to support the relations between the authorities on one hand and representatives of civil society and the business sector on the other hand results in, among others, the shift from central to local management (Klijn, Skelcher 2007) where public social values are expressed, sanctioned and realised. Varied ways and scope of accepting the idea of participation in local communities are signs of their distinctness from macrostructures and of the significance of local conditions for the adaptation of concepts formulated at the highest levels of social structure. The method of implementation and the attitude of local communities to the idea of participation is expressed in the local law of EU member states which establishes the scope of co-decision competences of the citizens as far as local politicians and the direction of changes are concerned, in the local communities they belong to.

What are the conditions of local communities' participation in the decision-making process that are established by the local law provisions? What are the differences in the adaptation of the participation idea in the legislation of diverse local communities? What role, based on the documents establishing the conditions of the realisation of participation, is assigned to the participation in the local management?

The theoretical, empirical and practical arguments support the attempt to answer the questions instrumental for this article. (1) Participation is

* **Anna Mielczarek-Żejmo** – Ph.D. in Sociology, University of Zielona Góra; research interests: border region sociology, the processes of institutionalisation, Polish-German relations, social networks and social participation, revitalisation; e-mail: a.mielczarek-zejmo@wpps.uz.zgora.pl

seen as a condition of overcoming the crisis in the social and economic sphere. In the context discussed in this article, the issues of social and civil participation inspire the academic world to create local development models (Lewenstein 2010). (2) The crisis is also observed in the political sphere. The weakening of the institution of representative democracy is noticeable.¹ At the same time, the level of direct involvement of citizens in the decision-making process in the political sphere remains relatively low (Olech 2012, Podgórska 2014). (3) Despite weaknesses and limitations of participation (Miessen 2013, Stankiewicz et al. 2015), its tools are put to practical use and bring positive results such as mitigating potential conflicts (Skrzypiec 2010), forming local policies (Celiński 2014) etc.

The Polish-German border region is an example illustrating the adaptation process of the participation idea. The example in question is the area of Lubuskie voivodeship and border districts of Brandenburg, the territory and the population of which are close to those on the Polish side².

The groups that have been selected are culturally, socially and economically diverse. The increase in border traffic after 1989 as well as in the German-Polish relations have contributed to the exchange of tangible and intangible goods (such as values). A large amount of data suggesting the development of interpersonal cross-border interrelations on the local level that has taken place since the opening of borders does not support conclusions about “massive intermingling of cultures and people through the vigorous acceptance of patterns and establishing contacts among people living on both sides of the border” (Kurcz 2009). There are arguments doubting the existence of the fully fledged border area concept which consider, among others, the development of relations and cooperation regarding public administration, institutions, organisations and their representatives (Kwiatkowski et al. 2014). On this basis, the selected communities are regarded as distinct and diverse.

The locally established provisions of law in the selected communities

¹The turnout in municipal elections in 2014 in Lubuskie voivodeship and in Brandenburg, examples that are subject to discussion in this article, did not exceed 50% and were respectively: 44.6% (PKW 2014) and 47.5% (Wybory do parlamentu... 2014).

²The population of Lubuskie voivodeship in 2015 was 1 018 075 and the territory 13988 km² (BDL 2016). The voivodeship is composed of 12 districts (including 2 cities with district (powiat) status: Zielona Góra and Gorzów Wielkopolski) and 83 municipalities. The conditions for participation on the German side have been analysed based on the data collected in five border districts (Barnim, Maerkisch-Oderland, Oder-Spree, Spree-Neisse, Uckermarkt) and two cities with district status located within their borders (Cottbus and Frankfurt/Oder). This area includes 59 districts with population of 937 225 in 2014 and with territory of 10 942 km² in 2013 (Genesis 2016).

are the source material for the analyses presented in this article. In the process of the analysis of the conditions for participation on the Polish side, the main focus was the content of the resolutions on rules and procedures regarding public consultations with the inhabitants of particular municipalities of the Lubuskie voivodeship (37 documents). As far as the German side is concerned, the documents establishing the conditions for participation which have been taken into account are statutes of the municipalities of the Brandenburg border districts (51 documents) as well as resolutions specifying details of the inhabitants' involvement in making decisions regarding public affairs (28 documents). In those documents, forms of public consultations were searched for. Additionally, some of the information found in the resolutions specifying the use of citizens' initiative, consultations with councils of public benefit and participatory budget in Poland were considered.

In order to specify the system that could be applied to the analysis of documents and searched information, I referred to the public consultation standards included in the publication being the result of the project aimed at spreading the idea of participation ("Let's decide together"). These standards became a point of reference for the assessment of conditions affecting the formation of the local law regarding the principle of partnership and participation in the local management. Based on those standards, there are favourable conditions for citizens to participate in making decisions when:

- citizens are provided with basic information on the consulted matter in appropriate locations and when it is indicated where particular information can be accessed;
- the objectives and the schedule of the consultations are clearly indicated and when the realisation of the consultation is justified as well as the way of presenting results is clarified;
- the opinions of the participants of the consultation are actively and thoroughly considered before making the decision, for example by incorporating methods enabling the citizens to form independent views;
- the consultations include representatives of as many groups as possible, including groups and categories that are not easily accessible (e.g. senior citizens);
- suitable methods are implemented, e.g. tailored to the participants of the consultations;

- the community is informed of the outcome of the consultations and of their influence on the decisions;
- the information is passed to appropriate departments and partners in order to ensure maximum influence of the local communities' views;
- the consultation activities are documented and evaluated in order to determine whether the standards were adhered to in the process of carrying out the consultations.³

Formal framework for participation in Polish municipalities

Polish national documents which refer to the conditions for citizens' participation in the decision making process on the local level and which discuss them in broad terms (indicate the few cases when it is obligatory to carry out public consultations) are, among others: Act on Municipality Self-government and other acts specifying the mechanisms of the functioning of local government bodies, Public Benefit and Volunteer Work Act, Act on the Principles of Development Policy, The Act on Social Assistance, Act on Spatial Planning and Development. Detailed conditions for involving stakeholders in the decision-making process are indicated in the Act on Revitalisation of 9 October 2015. It lists groups that should have the right to present their position regarding planned changes, it specifies stages and moments when the citizens must be included as well as forms and the duration of public consultations.

The statute of Lubuskie voivodeship does not contain requirements for participation in municipalities. The rules of participation for citizens of Lubuskie voivodeship refer only to the functioning of the voivodeship authorities. Those include the on-call duty hours of councillors (§ 9 point 2), publicising of the voivodeship assembly sessions of which the citizens are informed not later than 3 days before they begin (§ 20) as well as the scope and rules of the access to the documents generated in the process of the work of the self-government (chapter VIIIa).

Legal documents determining the participation of the citizens of Lubuskie voivodeship in the formation of local public policies include cooperation with non-governmental organisations programmes, regulations specifying the rules of the use of participatory budget, acts on citizens' initiative, acts on detailed procedure of consulting the non-governmental organisations and entities conducting public benefit activities on projects of the

³The elements of participation, published by Foundation of Social and Economic Initiatives.

local law acts and, discussed further in more detail, acts regarding rules and procedures of conducting public consultations with the citizens of the municipalities. Generally, forms of participation included in the statutes of the municipalities include: citizens' resolution-passing initiative, the procedure for petitioning and granting access to documents containing decisions made by self-government bodies.

The Act on Municipality Self-government is the legal basis for acts governing the rules of conducting public consultations in municipalities. These resolutions were adopted in Lubuskie voivodeship in 2008-2016. Over half of the analysed documents were adopted in 2014-2016. The acts indicate situations when public consultations must be conducted, specify the way of preparation as well as forms and methods of publishing information of the consultation process and results.

In nearly all of the municipalities, the reason to conduct consultations may be both circumstances indicated in the constitutional documents (the implementation of statutory requirements) as well as matters considered as significant for the municipalities. The only exception is the municipality where the resolution only provides for a possibility of conducting consultations when it results from statutory requirements.

31 documents provide for citizens' initiative concerning submitting a petition for public consultations. The regulations indicated in other acts state that only self-government bodies may make a decision to conduct consultations. The minimum value allowing for citizens' applying for consultations is indicated as a number or percentage. In most cases, 50 (11 acts) or 10% (8 municipalities) of citizens are enough to submit a request for consultations. 4 of the municipalities set high criteria for citizens' initiative where it is possible to announce public consultations after submitting a request signed by 20% citizens. Three acts provide for social organisations' initiative. They require the activity of one, three or five organisations.

Time required to announce consultations before they begin is indicated in twenty acts and it is 3 to 21 days. In most cases, the consultations are announced 7 days before they commence. There are a few exceptions where this period is 3 days (one municipality) and 21 days (2 municipalities).

22 municipalities specified the methods of announcing consultations. The citizens can usually find the information of public consultations on the website of Public Information Bulletin (20 municipalities), on information boards placed in the seats of City Council, Municipality Office or Village Administration Office (12 municipalities) or the website of the City Council or Municipality Office (11 municipalities). The municipalities which indicated the methods of publishing the announcement of public consultations

usually also planned to combine a few methods of informing citizens (2 to 4 methods) which makes it possible to inform a large number of citizens.

The acts adopted by municipalities Gorzów Wielkopolski, Kostrzyn, Międzyrzecz and Słubice stipulate the obligation to conduct an information campaign preceding or accompanying public consultations. The aim of the activity is to provide the citizens with comprehensive information on the subject matter of the consultations which is necessary to be able to make rational decisions.

The public consultations tools, indicated in the acts, include: (questionnaires for citizens; opinion polls, including surveys; (2) expressing opinions and submitting remarks in a written form; (3) face-to-face meetings with citizens, gatherings, debates; (4) village council meetings; (5) providing access to land-use plans that are being discussed; acts, programmes, strategies; (6) publishing projects in the consultation phase in the local press; (7) workshops; (8) issuing opinions on the subject matter of consultations by public benefit councils; (9) study tours, competitions, exhibitions, shows and presentations; (10) consultation panels where remarks are collected over a longer period of time which enables the participation of a large number of inhabitants. The most frequently indicated tools include: meetings with citizens, assemblies and debates (31 municipalities), questionnaires and public opinion polls (28 municipalities), expressing opinions in a written form and submitting remarks (22 municipalities). It is very rare that tools allowing for active and broad participation of inhabitants in forming local public policies, apart from face-to-face meetings and gatherings, are proposed. 7 municipalities (Deszczno, Gorzów Wielkopolski, Górzycza, Kostrzyn, Słubice, Szprotawa, Zabór) provide workshops while 2 municipalities (Kostrzyn, Słubice) provide study tours, shows and presentations. The only municipality that planned to hold consultation panels is Zabór.

In general, the acts provide for the use of more than one consultation tool. The only exceptions are Gozdnicza and Międzyrzecz municipalities where consultations may be conducted only in the form of expressing opinions and submitting remarks in a written form. On the other hand, the local law of two municipalities (Kostrzyn and Słubice) stipulate the obligation to choose two forms from among a few proposed.

10 acts specify the conditions and procedure of open meetings, assemblies and debates with citizens. These acts stipulate the obligation to inform about the meeting seven (7 municipalities) or fourteen days (1 municipality) in advance by: (1) placing an announcement on boards in in the seats of City Council, Municipality Office or Village Administration Office; (2) municipalities' websites; (3) Public Information Bulletin; (4) posters or (5) local

newspapers.

Few municipalities (7) indicated the duration of public consultations, which is 7 to 21 days. In a legal act adopted by the Zabór municipality, it is stated that there is a possibility to prolong the consultation period if need be.

Nearly all of the analysed acts (31) contain provisions indicating conditions for publishing of the public consultations' results. They oblige the entity leading the consultations to inform citizens of a municipality or a part thereof that the consultations were concerned with (30 acts), the members of the Municipality Council (22 acts) and a representative of the inhabitants initiating the public consultations of the process of the consultations and the conclusions. The most popular form of publishing was an announcement on the website of the Public Information Bulletin (17 acts), on the website of the City Council or Municipality Office (14 acts) and on the information board at the City Council, Municipality Office or the seat of the Village Administration Office (13 acts).

Additionally, an act adopted by the Słubice municipality stipulates the obligation to evaluate the completed public consultations.

Formal framework for participation in German municipalities

The legal documents of the German municipalities which indicate the conditions for involving citizens in the decision-making process are drawn up in compliance with the principles of the Municipal Act of the Land of Brandenburg (Kommunalverfassung des Landes Brandenburg). This document contains a description of tools enabling participation of inhabitants in the decision-making process and publication of decisions made by self-government bodies. In accordance with the statute of Brandenburg, the following forms allow for participation on the local level: an option to submit queries to the municipality council⁴, meetings of inhabitants. The statute reserves an option to apply other methods of involving public opinion. The fundamental document of Brandenburg also regulates the rules of submitting applications for a resolution by citizens (§ 14), citizens' initiative (§ 15) and the right to submit petitions (§ 16). The statute of the Land stipulates the obligation of a municipality to specify details of the forms of participation applied in the binding statutes or separate resolutions (§ 13).

⁴The consultation hours with the city council (Einwohnersprechstunden) usually take place before the municipal council meeting. Each citizen of a municipality has the right to ask questions to the council and to receive an oral or written reply. The local documents regulate the rules of conducting this type of consultation (duration of consultations, speaking time allocated to one citizen, the number of issues raised by one citizen).

This section of the article presents the results of analyses of documents binding in 51 German municipalities. The conditions for involving citizens in the process of making decisions that shape local public policies have been described in all statutes while 28 municipalities adopted additional provisions. The analysed documents were adopted in 2008-2016. Most of the legal acts (18) are from the 2008-2009 period.

German documents specifying the conditions for inhabitants' involvement in the decision-making process indicate the use of 18 different participation tools apart from the obligatory ones listed in the statute of Brandenburg. The local documents concern: meetings of citizens;⁵ procedure of informing of decisions made by self-government bodies; submitting remarks in a written form; questionnaires (with a possibility to vote on a given subject matter); participation in budget discussions; the location and use of mail boxes meant for delivering information to the authorities (local boxes for filing complaints and submitting applications); publication of documents in local press; providing access to plans, projects and maps related to the investments and land use management; consultation hours of the mayor; consultation hours of the municipality council representative; a hearing before the council; participatory budget; a mayor's report on their activities; advisory commission (seniors, children and teenagers). Local documents (statutes, legal acts) normally contain a description of the procedure: citizens' meetings, consultations before the municipality council and providing access to plans, projects and maps related to spatial planning. In addition to this, they concern citizens' initiative or the citizens' resolution-forming initiative.

The section below characterises conditions determining the process of inhabitants' meetings and providing access to plans, projects and maps regarding land use management. The listed tools are as close as possible to the rules for public consultations present in the legal acts of Polish municipalities.

Citizens' meetings are conducted regarding affairs that are relevant to the whole community or their part and all municipalities considered here are obliged to their realisation. The subject matters discussed with the citizens concern land use management, social, cultural, economical and other issues. Nearly all of the analysed documents specify the rules of submitting applications for conducting of a citizens' assembly. Signatures of 1 to 33% or 50 to 200 citizens are required in order to submit an application. Two of

⁵Meetings are announced after the beginning of an investment whose realisation affects a considerable number of people (the interested parties are informed of potential inconveniences that may appear in the investment realisation process, of duration of the realisation and its results).

the municipalities set strict criteria (33%; 200 persons). The procedure for announcing the date of a citizens' assembly is usually indicated in a statute of a municipality in the section discussing the publication of the date, place and agenda of a municipality council's meeting (requirements for announcements of a citizens' assembly are generally the same; in few cases an announcement of a citizens' assembly is published before the announcement of a municipality council's session). An announcement of a citizens' assembly shall be made public 3 to 14 days before it takes place. The documents of German municipalities usually indicate, seven, five and six days (respectively 14.9 and 6 statutes). The information is usually made public in press, on specific information boards (statutes list the addresses of specific boards) and in the local gazette. In most cases, municipal information boards are used for publishing information of a citizens' assembly.

Each citizen of a municipality has the right to participate in an assembly, to present their position on a given issue and to vote. In general, this right is gained from the age of 16. In the Letschin municipality, fourteen-year-olds have the right to participate in an assembly. A report of a citizens' assembly is presented to: the municipality council (32 documents), the mayor (17 documents), the authorities of the City/Municipality Council (12 documents), citizens (4 documents). Three documents specify the method of publication of a citizens' assembly's results. The channels for communication with citizens listed in those documents are local press and municipal information boards. In case of the Angermünde municipality, the documents indicate that in cases concerning a small number of people, questionnaires are to be sent to the citizens rather than to the assembly organisation. The recipients of the forms may voice their opinion or vote in a written form within 30 days of the receipt. Five other municipalities also provide for sending the questionnaires.

The rules for providing access to the plans, projects and maps regarding land use management are specified in the documents of 43 municipalities. 39 of them indicate a two-week period of providing access to the documentation, one of them – four-week period and three of them indicate that the self-government bodies decide how long the access should be provided. The documentation may be accessed by the interested parties during official consulting hours.

Final remarks

The analysis of local documents specifying the conditions for citizens' participation, in particular conducting public consultations, points to the differences between municipalities located on both sides of the Polish-German

border. Additionally, considerable differences have been observed between Polish municipalities. The results of the legal position comparison of Polish and German municipalities showed significant differences concerning: (1) legal status (source) of rules for involving citizens in the decision-making process (basis), (2) involvement of municipalities with documents specifying participation procedures (universality) and (3) forms and procedures for public consultations with citizens.

Basis

The conditions specifying forms of participation as well as rules and procedures for conducting public consultations in the border region municipalities of Brandenburg are found in local constitutional documents. Additionally, municipalities have the right to adopt documents indicating detailed solutions. Such documents indicate the obligatory forms of participation as well as procedure and rules for their implementation. These conditions concern both ongoing decision-making processes and extraordinary situations requiring consultations on matters significant to a municipality regarding various spheres of citizens' lives (such as citizens' assembly). The fact that conditions of announcing of citizens' assembly are on an equal footing to the conditions of announcing sessions of the municipality council raises the rank of public consultations.

The obligation to involve citizens in the decision-making process in the municipalities of the Lubuskie voivodeship is limited to few cases provided for by legal acts. Other forms of participation have been specified by municipalities voluntarily. The conditions for the realisation are included in acts adopted by municipality councils.

Universality

All municipalities of the district in the border region of Brandenburg are obliged to involve citizens in the decision-making process both during the realisation of ongoing policies and when making strategic decisions. Most municipalities of Lubuskie voivodeship have decided to conduct public consultations only in few cases provided for by legal acts. Forms of participation such as participatory budget or public consultations involving citizens or non-governmental organisations require adopting additional provisions by self-government bodies. The rules and procedures for conducting public consultations with citizens have been adopted by 45% of municipalities only. The legal acts analysed for the purpose of this work were adopted within the period of 3 years preceding the study. On the other hand, the German documents are older and are usually dated 2008-2009. It can be safely assumed that the validity period of the provisions is related to the extent they

are known to and popularised among the citizens.

Active participation

German municipalities are obliged to conduct public consultations in a way that enables citizens not only to form their views but also to exchange opinions and form a common position together with representatives of the self-government bodies (such as citizens' assembly). About 40% of municipalities decided to conduct public consultations with the use of tools enabling the exchange of opinions between citizens and representatives of local authorities and building a consensus. The most common form of this type of public consultations, as it is in case of German municipalities, are meetings, assemblies and debates with citizens.

Concluding, it seems that public participation principles regarding the functioning of public institutions in German municipalities show complementarity (Klijn, Skelcher 2007). The conditions indicated in documents create a possibility to support municipal entities in fulfilling their functions and in the realisation of the set targets thanks to the agenda which allows for broad access to information and works to the advantage of the forms of consultations.

The local provisions in Poland, or lack thereof, support active participation of citizens in the decision-making process to a lesser extent. They seem to present an instrumental approach to participation in the local management and use it to develop the authority of public institutions. The basic reason behind this state of affairs seems to be a low level of popularisation of legal acts specifying various forms of participation and also limitations as far as access to information is concerned (such as announcements of meetings). Moreover, tools that enable one-way flow of information (authorities-citizens or citizens-authorities) dominate over the exchange of views and forming a common position.

Three municipalities of Lubuskie voivodeship stand out here: Gorzów Wielkopolski, Kostrzyn and Słubice. Acts on consultations in these municipalities fulfil the participation standards to the greatest extent. They provide for time needed to announce public consultations and to carry out an information campaign before and during the process. Among various tools of public consultations, the documents of these municipalities indicate citizen activations methods (workshops, study tours etc.). Two of them specify a relatively long period of consultations (21 days). The legal act adopted by Słubice obliges the entity in charge of the realisations of consultations to evaluate the consultations.

The discussion presented in the article concerns only local legal provi-

sions, which determine the formal framework for participation of citizens in the process of making decisions regarding public affairs. The article does not demonstrate how this framework is implemented. Other research procedures are required in order to evaluate the level of participation in the municipalities of the Polish-German border region.

Literature

- BDL (2016), Bank Danych Lokalnych, <https://bdl.stat.gov.pl/BDL/dane/podgrup/tablica> [access: 5.08.2016].
- CELIŃSKI A. (2014), "DNA Miasta" jako innowacyjne narzędzie partycypacji społecznej, [in:] Partycypacja obywatelska. Od teorii do praktyki społecznej, ed. A. Przybylska, A. Giza, Wydawnictwo Naukowe Scholar, Warszawa.
- GENESIS (2016), Statistisches Bundesamt, Genensis-Online Datenbank, <https://www-genesis.destatis.de/genesis/online> [access: 5.08.2016].
- KLIJN E., SKELCHER CH. (2007), Democracy and governance networks: compatible or not?, "Public Administration", No. 85.
- KURCZ Z. (2009), O transgraniczu i transgraniczności. Wprowadzenie, [in:] Polskie transgranicza, eds. Z. Kurcz, A. Sakson, Wydawnictwo Uniwersytetu Wrocławskiego, Wrocław.
- KURCZEWSKA U. (2014), Partycypacja obywatelska w zarządzaniu politykami publicznymi Unii Europejskiej, [in:] Partycypacja obywatelska. Od teorii do praktyki społecznej, eds. A. Przybylska, A. Giza, Wydawnictwo Naukowe Scholar, Warszawa.
- KWIATKOWSKI M., BAZUŃ D., FRĄCZAK-MÜLLER J., MIELCZAREK-ŻEJMO A., POKRZYŃSKA M. (2014), Zaufanie ponad granicami. Euroregion Sprewa-Nysa-Bóbr a procesy integracyjne na pograniczu polsko-niemieckim. Raport badawczy. Zielona Góra, http://www.is.uz.zgora.pl/index.php?option=com_content\&view=article\&id=390:zaufanie\&catid=65:inneprojekty\&Itemid=124 [access: 27.08.2016].
- LEWENSTEIN B. (2010), Między rządzeniem a współrządzeniem. Obywatelskie modele rozwoju społeczności lokalnej, [in:] Partycypacja i aktywizacja w rozwiązywaniu problemów społeczności lokalnych, eds. B. Lewenstein, J. Schindler R. Skrzypiec, Wydawnictwo Uniwersytetu Warszawskiego, Warszawa.
- MIESSEN M. (2013), Koszmar partycypacji, Wydawnictwo Bęc Zmiana, Warszawa.

- OLECH A., (ED) (2012), *Dyktat czy uczestnictwo? Diagnoza partycypacji publicznej w Polsce*, Instytut Spraw Publicznych, Vol. I., Warszawa.
- PKW (2014), Państwowa Komisja Wyborcza: wybory samorządowe, frekwencja. http://samorzad2014.pkw.gov.pl/357_rady_woj/0/08 [access: 10.08.2016].
- PODGÓRSKA A. (2014), Obywatel na straży. O obywatelskim monitoringu procesu konsultacji społecznych, [in:] *Partycypacja obywatelska. Od teorii do praktyki społecznej*, eds. A. Przybylska, A. Giza, Wydawnictwo Naukowe Scholar, Warszawa.
- SKRZYPIEC R. (2010), Konflikt lokalny motorem partycypacji społecznej i skutkiem zmiany – analiza wybranych przypadków: Oświęcim, Bieruń, Las i Kobiór, [in:] *Partycypacja i aktywizacja w rozwiązywaniu problemów społeczności lokalnych*, ed. B. Lewenstein, J. Schindler R. Skrzypiec, Wydawnictwo Uniwersytetu Warszawskiego, Warszawa.
- STANKIEWICZ P., STASIK A., SUCHOMSKA J. (2015), Od informowania do współdecydowania i z powrotem. Prototypowanie technologicznej demokracji, "Studia Socjologiczne", No. 3.
- WÓDZ K., WÓDZ J. (2007), Partnerstwo społeczne i kultura dialogu. Droga do przezwyciężenia deficytu demokratycznego w UE, [in:] *Negocjowana demokracja czyli europejskie governance po polsku*, ed. K. Wódz, Wydawnictwo Naukowe Scholar, Warszawa.
- WYBORY do parlamentu krajowego w Brandenburgii (2014), <http://www.brandenburgia.pl/wybory-do-parlamentu-krajowego-w-brandenburgii/> [access: 10.08.2016].

Anna Mielczarek-Żejmo

**FORMAL FRAMEWORK FOR PARTICIPATION IN MUNICIPALITIES
OF THE POLISH-GERMAN BORDER REGION**

Keywords: public participation, participation standards, local management.

The paper presents how and to what extent the participation idea, promoted by the EU, has been implemented in local communities. The way of its implementation and the attitude of local communities are reflected in the local legislation adopted in the member states, which determines the framework for inhabitants' involvement in making decisions regarding local policies and the directions for changes in their communities. The key questions in the article focus on the conditions for members of local communities to participate in the decision-making process, indicated in the local legal provisions, on the differences in adapting the participation idea in the legislation of the municipalities in the Polish-German border region, and on the role of participation in local management. To answer these questions, the author analyses legal documents, adopted locally, which influence the conditions for the involvement of inhabitants in the Polish-German region. The last part of the paper presents the conclusions: in German municipalities, participation mechanisms show complementarity to the activities of public institutions, whereas in Polish municipalities, forms of participation are used instrumentally.