

# ARTICLES

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## YOUTH PARTICIPATION IN PUBLIC DECISION-MAKING AT REGIONAL AND LOCAL LEVEL

### ABSTRACT

Insufficient participation of young people is a major problem occurring in the field of administrative law. This article is devoted to the analysis of national and international legal regulations in the field of youth participation in public life. The basic assumption of the analysis is that the youth has great potential, which is not used. Given the right opportunities and tools, young people are able to diversify and raise public discussion on the functioning of the city and the region. But the activity of young people in local and regional life depends on the commitment of local authorities to provide appropriate instruments to enable them to take action. If young people have the right tools and enjoy the appropriate conditions for getting involved, they are able to realize a number of innovative projects noticeable even abroad. At a time when young people have a sense of real possibility to change their immediate environment, they are getting even more involved in the public life of their region.

### Key words

Youth, policy, city council, strategy, Europe Prize

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## Introductory remarks

In the system of public international law, the fundamental document defining the standards of youth participation in public life at local and regional levels is the European Charter on the Participation of Young People in Local and Regional Life (Revised European Charter on the Participation of Young People in Local and Regional Life, 2003) adopted by the Congress of Local and Regional Authorities of the Council of Europe in 1992. Although the European Union is not granted competence in the field of youth policy (Boryń, Duraj & Mrozowska, 2014), *Polityka młodzieżowa Unii Europejskiej*, Toruń, Wydawnictwo Adam Marszałek), in 2001 the European Commission adopted a White Paper (European Commission White PAPER of 21 November 2001 – A new impetus for European youth COM (2001) 681 final – Not published in the Official Journal).

The European Charter on the Participation of Young People in Local and Regional Life, which was adopted by the Conference of European Local and Regional Authorities in March 1992 pursuant to art. 22 of Resolution No. 237, consists of three parts: sectoral policies, ways of youth participation and institutional participation of young people in local and regional life.

In the first part of this charter, 14 policies relevant to young people were set. They describe the directional guidelines to local and regional authorities in improving the quality of life of young people.

The second part of the charter consisting of 8 areas has defined ways of youth participation. It shows the instruments that local and regional authorities can use to enhance the activity of young people in public life in their region.

The third part of the charter on the participation of young people in local and regional life contains proposals for the institutionalization of activities of young people in local and regional life. It is precisely this issue that will be mainly developed in this article.

The problem of the citizens' participation is a new emerging issue in the Polish administrative law. The practice in this respect is not developed yet in a proper manner. The Polish system of universally applicable provisions only contains one article that regulates the possibility of participation of young people in public life. Due to the relevance of this issue, and my personal experience on this very topic, the goal of this analysis shall be to seek an answer to a question whether involving young people in the decision-making process can bring real benefits

and help to improve the quality of the process of making public decisions. I definitely think that the inclusion of youth in decision-making both at the local and regional level has a positive effect on the local community. The involvement of youth in the decision-making process gives them a sense of community, allows them to gain experience in the functioning of a local government, and also gives them a chance to change their region according to their demands. These remarks shall be my main hypothesis, which I will test in this analysis.

I created the analysis of the problem of youth participation in public life using a comparative analysis of the legal rules of public international law with the system of Polish law. I also based this analysis on my 5 years of experience in creating and coordinating the work of the youth council in Slupsk. Due to this fact, the research area in this analysis shall be limited to the scope of local government, and further I will attempt to extend the achieved results to a more general scope of creating public policies in Poland.

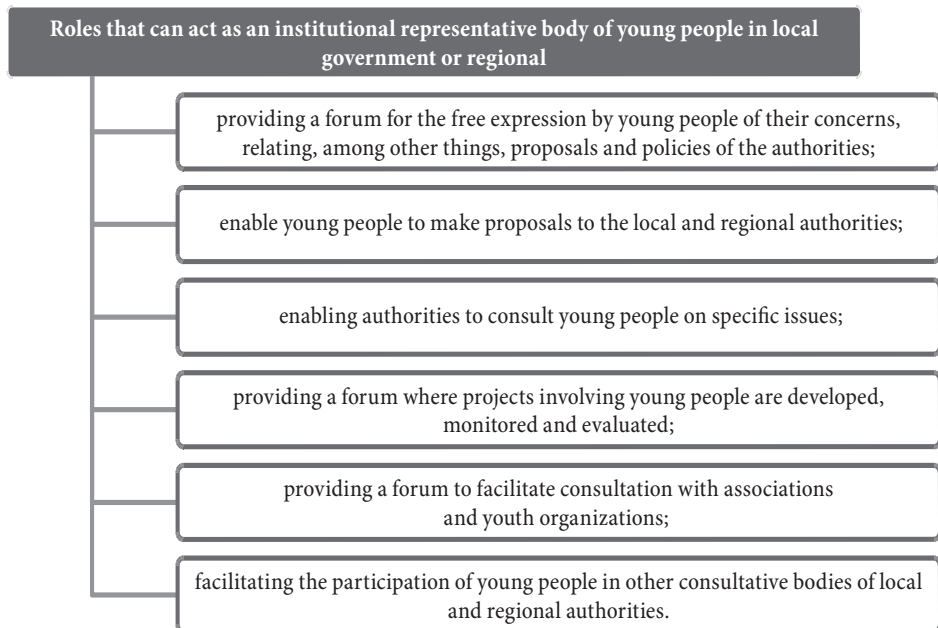
## **1. Institutional participation by young people in local and regional life – international regulations**

The European Charter on the Participation of Young People in Local and Regional Life states that in order to effectively implement the policy set out in its first part, it is essential that local and regional governments create appropriate structures or mechanisms for the participation of young people in the decisions and debates in the field of youth policy (Revised European Charter on the Participation of Young People in Local and Regional Life, item 57). These structures will depend on the level at which they will be created (commune, district, province). However, authorities should create the necessary conditions of fact and law that will allow cooperation between that body and the representatives of local or regional authorities. An important condition for the smooth functioning of the institutional structure of youth is that it is representative and constant. Youth organizations should be able to deal with all matters in which young people express an interest (Revised European Charter on the Participation of Young People in Local and Regional Life, item 58).

The European Charter on the Participation of Young People in Local and Regional Life contained also guidelines as to the nature of the institutions representing the youth. It was determined that one of the conditions necessary for the effective and efficient operation of such a body is its constant representativeness of its structure, such as a youth council, a youth parliament or a youth forum. Election of members of such a body can be made by both the elections and

the appointment of representatives of existing organizations or by voluntary. Composition of such a representative body of young people should reflect the sociological profile of the community (Revised European Charter on the Participation of Young People in Local and Regional Life, item 59 and 60). An important element of youth participation in local and regional life is to build among them a sense of direct responsibility for projects carried out by their communities (Revised European Charter on the Participation of Young People in Local and Regional Life, item 61). The activity of such organizations not only contributes to the effective implementation of policies at local and regional level, but also allows young people to acquire competence in the management of public life and the functioning of democracy. At the local and regional levels, a special duty of authorities is to encourage young people to participate in representative bodies of youth. It is through such engagement that young people have the possibility of practical learning and practicing the principles of democratic citizenship (Revised European Charter on the Participation of Young People in Local and Regional Life, items 64 and 65).

**Chart No. 1.** Roles that an institutional representative body of young people can take in relation to local or regional governments



*Based on the European Charter on the Participation of Young People in Local and Regional Life*

Outside the formal establishment of the representative body of young people, an important aspect is to provide support during its operation. For this purpose local authorities should also ensure that this representative body has appropriate seat, financial assistance and material support necessary for the proper and efficient functioning (Revised European Charter on the Participation of Young People in Local and Regional Life, items 67–69).

It is important also to establish independent political structures for people or groups of people who will be helping youth organizations in carrying out their tasks. These persons may also be a link between young people and local authorities, represent the interests of young people in the bodies of local government units, act as rapporteurs for young people and local authorities in terms of the actions taken by the organizations in order to assess the level of participation of young people in local and regional governance (Revised European Charter on the Participation of Young People in Local and Regional Life, item 70).

## **2. Institutional participation by young people in local and regional life – national regulations**

In 2001, under the amendments to the Law on Local Government, the added art. 5b introduced the possibility of establishing a youth municipal council (Ustawa 1990, art. 5):

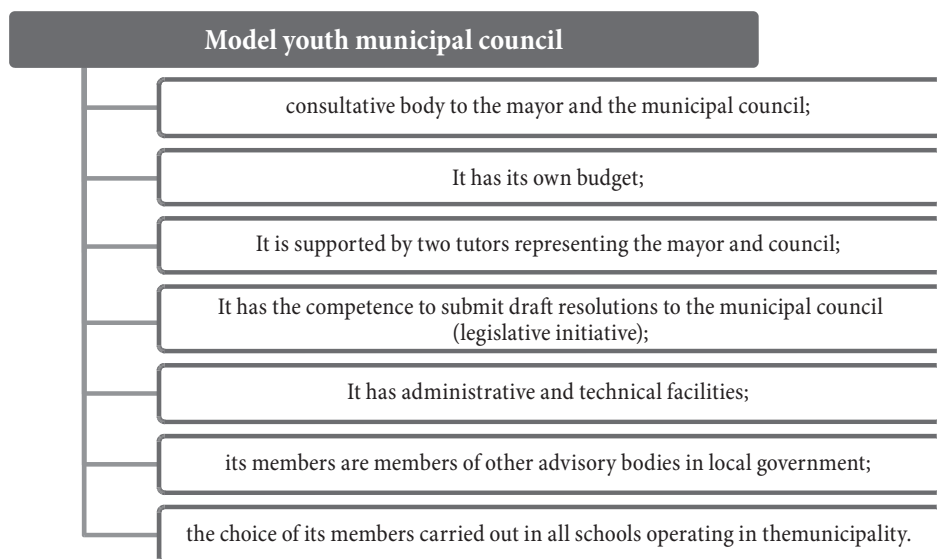
1. The municipality has to take steps to support and promote the idea of self-government among the residents of the community, especially among young people.
2. The municipal council at the request of those concerned may agree to the establishment of a youth municipal council having consultative nature.
3. The municipal council, establishing a youth municipal council, gives it a statute specifying the mode of election of its members and their rules.

This article is the only legal basis that regulates the possibility of establishing a youth municipal council and its mode of operation. With the dignity of the above legal standard, the municipal council may appoint a youth municipal council solely on the basis of the application of those concerned. It should be understood that such a request may be submitted by the same young people of the municipality concerned or representatives of student governments. It is the responsibility of local governments to determine methods of selecting board members and the detailed rules for functioning of youth councils. It is on the basis of the resolution of the municipal council that the statute of the youth

municipal council is promulgated, which includes the statutory mandate to appoint a consultative body for local government bodies.

Despite the absence of specific statutory regulations related to the model of the functioning of youth municipal councils, over the years, the practice has developed some „good practices” in the activities of the consultative body (more: Młodzieżowa Rada Gminy. Aktywność obywatelska młodzieży w społeczności lokalnej; Model działania młodzieżowej rady gminy).

**Chart 2.** Model of the youth municipal council



Source: own analysis.

Although this does not arise from the straightforward interpretation of the Act, a youth municipal council is a consultative body of both the mayor and the municipal council. This is due to an important appointment of the same council. It aims to, among others, represent the interests of young people in the local government bodies.

Another group of elements necessary for the proper functioning of the youth municipal council is also due in part to the provisions of the European Charter on the Participation of Young People in Local and Regional Life. In order to efficiently and effectively act on behalf of their peers, the youth municipal council needs the necessary substantive support. For this purpose it is best to appoint two people by the municipal council and the mayor. This solution ensures independence of the functioning of the youth municipal council. In the case of

appointment of one person to support, there is the possibility of objection, it will be the council acting at the president or the board. Two people supporting each body representing local government units will not only ensure the proper flow of information between youth and municipal authorities, but also strengthen their independence. The role of the supporters is to provide substantive support to the activities undertaken by young people, in particular, to ensure the proper and lawful functioning of the council, to ensure an adequate flow of information between the youth council and municipal authorities, as well as the organization of training to increase competence of the members of the board.

Youth municipal council, established on the basis of the statute created by the municipal council, is to pursue mainly consultative activities. However, in most cases, established in Poland, youth councils are not limited only to this activity. They come out with initiatives aimed at activating youth in public life, the integration of young people, popularization of healthy lifestyle, etc. As an example may serve: Lodz Youth City Council (Młodzieżowa Rada Miasta Łodzi). Włocławek Youth City Council (Młodzieżowa Rada Miasta Włocławek) czy Poznan Youth City Council (Młodzieżowa Rada Miasta Poznań). For this purpose it is necessary that in the budget of the commune secured are means to fund actions taken by the young councilors. Of course, their plan does not exclude the acquisition by a youth municipal council sponsors for specific events. However, the transfer of a pool of resources within the financial capabilities of the local government units facilitates the implementation of projects by young people and at the same time builds a sense of responsibility for the public finances of the municipality.

Youth municipal council to be able to act effectively in their environment should have the right to submit resolutions in the field of youth policy to the municipal council. Until now, no youth city council has such power. This postulate was also submitted for discussion at the First Congress of Youth Councils, which took place in Słupsk (I Kongres Rad Młodzieżowych).

An essential element of the functioning of any organization, and also the youth municipal council, is the appropriate administrative and technical facilities. It is important that local authorities allow the young councilors suitable place for meetings, the organization of the session, as well as working meetings. Providing office space not only makes it more friendly for young people, but also gives a certain prestige to the activities of the council.

An important action for increasing the involvement of young people in the functioning of a local government is to enable its members access to other consultative bodies, teams or committees that develop documents that are later subject to the work of the city authorities. An example of this is the invitation issued

to the Chairman of the Youth Council of Slupsk to attend the sessions of the Presidential Council by the President of the city of Slupsk (Rada Prezydencka).

The last, but one of the most important elements of the functioning of the youth municipal council, is the procedure for the election of its members. It is the municipal council who decides how the elections will be carried out. For example, youth councilors can be recruited from members of student self-governments, they can be appointed by the teachers' council, or finally they can be elected on the basis of general elections in schools. The last solution, in my opinion, is the best option, at least for two reasons. Firstly, young people learn how to run elections and learn democracy. Secondly, members of the youth council elected by their peers have a greater social mandate to perform their function. In addition, if the election is carried out in all schools, it has the ability to simultaneously promote this representative body of young people, including the previously completed projects and activities undertaken by young people.

To sum up this part of the article, it should be noted that although much freedom was left to municipal councils in appointing a youth council, some standards for the operation of the representative body of youth have emerged.

### **3. Youth activities in the municipal council on the example of the city of Slupsk**

On January 25, 2012, the Council of the City of Slupsk adopted a resolution on the appointment of the Youth Council of Slupsk (Uchwała nr XVIII/245/12 z dnia 25 stycznia 2012 roku w sprawie powołania Młodzieżowej Rady Miasta Słupska i nadania jej statutu). According to the given association, the youth council consists of 23 students from all secondary schools in the City of Slupsk, whose term of office is two years. Youth councilors are elected by universal suffrage and directly (Uchwała nr XVIII/245/12 z dnia 25 stycznia 2012 roku w sprawie powołania Młodzieżowej Rady Miasta Słupska i nadania jej statutu. § 7.).

The Youth City Council of Slupsk has two mentors, one on behalf of the mayor (Uchwała nr XVIII/245/12 z dnia 25 stycznia 2012 roku w sprawie powołania Młodzieżowej Rady Miasta Słupska i nadania jej statutu. § 28) and the other on behalf of the city council (Uchwała nr XVIII/245/12 z dnia 25 stycznia 2012 roku w sprawie powołania Młodzieżowej Rady Miasta Słupska i nadania jej statutu. § 29). In order to fulfill its tasks, given the statute, young councilors have their own budget (Uchwała nr XVIII/245/12 z dnia 25 stycznia 2012 roku w sprawie powołania Młodzieżowej Rady Miasta Słupska i nadania jej statutu. § 6 ust. 1);



moreover, the city council obliged the president to ensure appropriate conditions for the correct operation of youth councilors (Uchwała nr XVIII/245/12 z dnia 25 stycznia 2012 roku w sprawie powołania Młodzieżowej Rady Miasta Słupska i nadania jej statutu. § 6 ust. 3). The City Council in Słupsk established the Youth Council of Słupsk as a consultative body for both the city council and the mayor (Uchwała nr XVIII/245/12 z dnia 25 stycznia 2012 roku w sprawie powołania Młodzieżowej Rady Miasta Słupska i nadania jej statutu. § 1 ust. 3). So the youth council in Słupsk, apart from the competence of bringing legislative proposals, is a model solution for involvement of young people in public life. And what about the practice? How are young people in Słupsk involved in public life?

At the end of the first term of the Youth Council of Słupsk, it has prepared a report on its activities (Sprawozdanie z działalności I kadencji Młodzieżowej Rady Miasta Słupska). In this report we can find a lot of projects that attest to above-average activity of the young people in Słupsk. Young councilors organized for example: Słupsk backyard league, recognition awards for best teachers in Słupsk (Młodzieżowa Rada Miasta Słupska, Słupskie Niedźwiedzie Edukacji rozdane), a conference on student-teacher conflicts (Młodzieżowa Rada Miasta Słupska, Czy można mówić o konflikcie ucznia z nauczycielem), and also they participated in a number of foreign trips. In total, young councilors during the term of office were involved in a nearly 30 projects aimed at young people from the region of Słupsk. A similar situation occurred during the second term of office.

To what kind of projects implemented by the Youth Council of Słupsk we should pay particular attention to? For sure “EU in the Youths’ Rhythm” (“Unia Europejska w rytm młodzieży”) was a project made possible with funds the young councilors received from the program „Youth in Action”. As part of the project, the Youth Council of Słupsk established cooperation with all cultural institutions in Słupsk. Then they held auditions among young people aimed at finding musical talents. The next stage of the project was a music workshop conducted by qualified cultural institutions. The final stage of the project was to release a record the promotion of which started during the concert organized on the occasion of Children’s Day (Młodzieżowa Rada Miasta Słupska, Płyta już wydana, <http://mrm.slupsk.pl/?p=1001>).

Another important project carried out by the Youth Council of Słupsk is the Congress of Councils of Youth, which took place in May 2015. This project was supported by the city authorities, European Information Point Europe Direct – Słupsk and the Association „Pomorskie in the European Union”. The congress organized workshops aimed at raising the social competence of councilors

participating in the event. One of the events during the congress was the debate „Youth policy in Poland” which was attended by: Robert Biedroń – Mayor of the City of Slupsk, Beata Chrzanowska – President of the City Council in Slupsk, PhD. prof. Associate, Roman Drozd – Rector of the Pomeranian Academy in Slupsk, Barbara Zakrzewska – Director of the School of Mechanical and Logistics in Slupsk and Natalia Rybak – President of the Youth Council of Slupsk in the first term. The congress was attended by nearly 100 young councilors from across Poland. During this event all participants decided to continue the project. So far five such events were held, during which young people discussed the problems they face as young people in Poland (more information about the congress: <http://www.kongres.mrm.slupsk.pl/> oraz <http://mrm.slupsk.pl/?p=1546>).

The last project to which I wish to pay special attention, is probably the first Polish strategy of youth policy of the city, passed by the Youth Council of Slupsk (Młodzieżowa Rada Miasta Słupska, Uroczysta sesja Młodzieżowej Rady Miasta Słupska). The strategy was developed on the basis of debates in schools, polls which were attended by more than 1,000 students, in consultation with school principals and municipal authorities. This strategy was, therefore, prepared in a way that engaged the youth the most. This document consists really of two parts: diagnosis and proposals of the Youth Council of the City of Slupsk. In the diagnosis, on the basis of surveys and debates, presented was the image of the city as seen through the eyes of young people. The second part of the strategy formulated concrete demands addressed to the city authorities, eg.: closer cooperation between schools and universities, the survey evaluation of teachers, proposal to change the operation of school libraries, creation of a website for all cultural institutions, and increasing the transparency of the provision of sports facilities (Młodzieżowa Rada Miasta Słupska, Uroczysta sesja Młodzieżowej Rady Miasta). The document prepared by the young councilors was also used by the city to develop a strategy for the City of Slupsk.

## **Closing remarks**

The above-mentioned tasks show that when young people receive the tools and capabilities, they are able to realize many projects. It is thanks to the activities of the Youth Council of Slupsk that the city was awarded the highest award in the scope of international cooperation and building European solidarity – Europe Award 2014 (Council of Europe, Slupsk in Poland is the winner of the 2014 Europe Prize; Stałe Przedstawicielstwo RP przy Radzie Europy, The city of Slupsk wins the 2014 Europe Prize).

The activities of young people in local and regional life depends on the commitment of local authorities to provide appropriate instruments to enable them to take action. For example, the city of Słupsk can without a doubt say that if young people have the right tools and appropriate conditions for operation, they are able to realize a number of innovative projects noticeable abroad. At a time when young people have a sense of real possibility to change their immediate environment, they become even more involved in the public life of their region. Definitely we can see this on the example of Słupsk. Once it established the Youth Council of Słupsk (with its own budget, appropriate administrative facilities, independent politically, supported by all the municipal units), youths have completed more than 40 projects, which were unimaginable before. The youth has great potential, which is not used. Given the right opportunities and tools, young people are able to diversify and raise public discussion on the functioning of the city and the region.

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