

## **Coordinated Implementation of the International Guidelines on Decentralization and Access to basic services for All**

### **Handbook September 2012**

This quick handbook was prepared through large consultations with experts from central and local governments, service providers and the civil society, including service users and poor and vulnerable groups. It doesn't bear any normative status and should be considered as a flexible instrument subject to adaptation to local circumstances and aiming at facilitating the coordinated implementation of the two sets of International Guidelines on Decentralization and on Access to Basic Services for All adopted by the Member States of the United Nations respectively in 2007 and 2009. It is particularly intended to support national governments and local authorities striving to adapt the guidelines to local and national circumstances in order to ensure access to basic services for all through improved decentralization framework.

After addressing 4 preliminary questions and comments defining the scope of the handbook, the first part presents, summarizes and merges the recommendations from the two sets of guidelines. The second part proposes methodological recommendations to conduct the implementation and adaptation process of the two sets of Guidelines at national and local levels.

This draft revised version reflects preliminary lessons learnt from the adaptation process conducted in pilot countries.

## **Section 1 - Consolidated recommendations from the two Guidelines**

### **A. Preliminary questions**

#### **1. Why coordinating the issues of decentralization and access to basic services for all?**

The central government keeps the overall responsibility in policies related to basic services, but, at the same time, basic services have to be available where people live, *i.e.* at the local level. This gives local authorities an important role to play. Organizing the relationship between central government and local authorities in a stable and efficient manner for the delivery of basic services is a purpose of decentralization.

*Rationale*

- Access to basic services for all is the ultimate objective of the two sets of guidelines whereby decentralization is understood as a key institutional mean to achieve the objective.
- Effective decentralization empowers local government and gives them the authority and means to exercise their responsibilities at the sub-national level.
- Good practice of delivery and access to basic services for all always occur in the framework of advanced decentralization.
- The guidelines on access to basic services for all were drafted after the adoption of the international guidelines on decentralization and strengthening of local authorities, therefore taking into account key elements that are contained in a dedicated chapter on decentralization.
- While the overall objective is to contribute to improving the living conditions of the citizens through improved access to basic services, performing decentralization frameworks and enhanced capacities of local authorities are crucial means to promote local democracy and inclusive and participatory governance at all levels.
- The inter-sectoral nature of basic services calls for solid territorial coordination through integrated planning and management. Local governments normally have the mandate to plan and manage local development, in articulation with other levels of government and neighboring territories.

**2. What do basic services entail?**

Basic services are the minimum requirements needed to offer a decent life to citizens in human settlements:

Those include<sup>1</sup>:

2.1 Water supply and sanitation, sustainable waste management, energy, transportation and communication.

2.2. Primary education, primary health and public safety.

*Rationale:*

- The first group of basic services as described above under 2.1, is composed of essentially infrastructure-based services. They require heavy investments.
- The second group under 2.2, requires skilled human resources, which implies significant operating costs.
- Basic services are all strongly interrelated, as the availability of one is necessary for the production or the delivery of the others, e.g. clean water is necessary to ensuring good health.

**3. Why are basic services important?**

Basic services are important because they:

- Contribute to human dignity and quality of life;

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<sup>1</sup> As defined in paragraph 4 of the Habitat Agenda.

- Improve the potential of each person to engage in economic activities. In other words, access to income and employment generating opportunities is critically dependent on services; the lack of such services severely constrains productivity and, consequently, earnings.

Rationale:

- Basic services are unequally available and accessible worldwide. Many individuals, families, communities and even villages and large areas in big cities remain without access to basic services.
- That means that the poor and vulnerable groups are unable to enjoy decent and dignified lives and face great difficulties in improving their livelihood. They are mired in a vicious circle in which the lack of access to basic services is both cause and result of poverty, discrimination, marginalization and exclusion.

#### **4. Who is responsible for the delivery of basic services?**

Central and regional governments and local authorities, as stated above in A1, together with civil society organizations and service providers, have a role to play and responsibilities to assume with regard to access to basic services for all.

Rationale:

- National governments have the primary responsibility to design and enact general policy and legislation on access to basic services for all and to monitor progress.
- Local authority have the responsibility of designing and implementing local development plans and urban plans for making basic services available to all, particularly the poor and marginalized groups, and to monitor the implementation of these plans.
- Civil society organizations are key to facilitate constructive relations between local authorities and the poor and marginalized people, to assess their needs and aspirations and contribute to the delivery of services.
- Service providers have the responsibility to execute contracts passed with local authorities, or with the central government.
- Additionally, it is beneficial to consult with corporate associations from the private sector and the civil society in policy design by central and local governments.
- The production and delivery of several basic services requires well-developed basic infrastructure. Governments are responsible for the development of such infrastructure. In advanced decentralized frameworks, this responsibility is shared with local authorities that could assume it either directly, or by contracting, or by partnering with service providers.

#### **5. What conclusions can be drawn from above points?**

Access to basic services has the potential to improve the quality of life of each individual and its capacity to participate in the socio-economic situation of his or her society. Therefore, basic services must be:

- Accessible to all, including the poor;
- Provided on a non-discriminatory basis.

As several actors have a role to play in making services accessible to all,

- The responsibilities and rights of each actor should be clarified in the constitution, by law and rules, or contracts, as appropriate;
- Public actors should coordinate their action at the various territorial levels from national to local and neighborhood through integrated territorial planning and management;
- Public actors should develop partnerships with private actors;
- Monitoring and dispute settlements mechanisms should be established to facilitate the process.

The fact that local authorities should play a particularly important role calls for decentralizing of as much responsibilities as possible to the sub-national levels.

As basic services affect the daily life of the beneficiaries,

- Citizens must be consulted on their needs and priorities.
- They must participate in the decision-making, implementation and monitoring processes.

Several of these conclusions relate to good governance and are equally necessary for achieving successful decentralization and making services accessible to all. They are addressed in below sections B, C and D devoted to specific issues related to decentralization and access to basic services.

## **B. Governance**

The following principles derive directly from the conclusions drawn above namely: non-discrimination, participation and inclusiveness, monitoring, accountability and dispute settlement mechanisms, to which training must be added. Indeed, decentralization as well as development and implementation of basic services policy and legislation require skills that local politician and civil servants do not always possess.

### **6. Non-discrimination**

Governments, local authorities and other actors should refrain from any discrimination on the grounds of gender, racial or ethnic origin, religion, age or social status of the beneficiaries.

To this end, governments and local authorities should ensure that:

- People are informed of their rights, which must be enshrined in the constitution or relevant national legislation, where appropriate;
- Accessible mechanisms are available for remedies and redress, particularly for the poor or those affected by social injustice.

### **7. Participation and inclusiveness**

A participative democracy requires the involvement of citizens in the decision-making, implementation and monitoring of policies, projects and activities, in particular those related to access to basic services for all.

In this perspective, local authorities should:

- Recognize the different constituencies within the civil society and involve them progressively in the development of their communities, their neighborhood and the city;
- Make particular arrangements to secure the participation of all, especially women, young people and the socially and economically weaker sections of society;
- Promote civic engagement through consumer education and awareness, ombudsmen, public hearings and participatory planning;
- Ensure that all stakeholders enjoy access to relevant information on matters of public concern in their own language.

## **8. Monitoring**

Supervision and monitoring aim at taking corrective measures in due time and avoiding the development of intractable situations. In monitoring management performance and achievements of local authorities, supervisory organs should:

- Act in respect of their autonomy, and in conformity with the provisions of the constitution or the relevant legislation;
- Offer, when necessary, technical assistance and training or take corrective action.

On their side, local authorities should:

- Monitor and adjust programmes on the basis of regular and timely feedback from the beneficiaries;
- Assess the impact of policies and investments, particularly on the poor and vulnerable groups;
- Ensure that service providers respect their contracts.

## **9. Accountability**

Politicians and officials of local authorities should discharge their tasks with a sense of responsibility and accountability to the citizens. At all times they should maintain a high degree of transparency.

To this end, national governments should:

- Develop anti-corruption legal frameworks and take strict and timely action to tackle corruption cases, including criminal penalties when necessary;
- Provide anti-corruption organs with the needed independence and financial means to conduct investigations and provide recommendations on actions to take in case of breach of confidence, abuse of authority or conflict of interest by public civil servants;
- Take immediate corrective action upon recommendations by the anti-corruption organs.

At their level, local authorities should:

- Ensure that their staff enjoy material and remunerative conditions that should guarantee them security in the free exercise of their functions;
- Set a code of good conduct that requires public civil servants to act with integrity and avoid any situation that may lead to conflicts of interests. Such a code should be made public when available;
- Put in place mechanisms to allow citizens to reinforce the code through participation and interactive process of feedback.

## **10. Dispute settlement mechanisms**

The activities of local governments involve public and private actors and have to meet the needs and aspirations of different communities and groups of citizens with equal rights, regardless to unequal incomes and capacities. When divergence of views and disputes are unavoidable:

National governments should:

- Make sure that the terms of public contracts include appropriate revision clauses against unforeseen difficulties and ensure equal access to justice for all in the event of litigation;
- Ensure access to justice for individuals and communities, local authorities, service providers and civil society organizations so that contractual conflicts that have not been solved through dispute settlement mechanisms are resolved through the judicial system in a transparent manner;

Local governments should:

- Establish local dispute settlement mechanisms with the participation of civil society organizations, communities, and service providers.
- Encourage and facilitate consensual dispute settlements at the local level where appropriate.

## **11. Training**

Depending of their functions, local authorities and their staff need the appropriate capacity to be able to develop plans and policies, consult, supervise, negotiate and monitor contracts, mobilize financial resources, and assess the results of their action in line with the legislation.

This requires that national governments should establish structures to:

- Accompany the increase in functions allocated to local authorities by appropriate measures to build up their skills and capacities;
- Support capacity-building programmes to elevate staff qualification in the public service at all levels.

On their side, local authorities should:

- Take advantage of capacity-building facilities available nationally or internationally to improve their skills and capacities;
- Facilitate training opportunities for local civil society or grass-roots organizations.

Civil society organizations should:

- Take advantage of training opportunities offered to them.
- Engage in a constructive dialogue with the relevant authorities at the appropriate level to draw their attention to the needs for civic education of the population.

## **C. Decentralization**

Decentralization is a political decision-making process that depends upon the will of each pillar of government in a national context. It is nevertheless broadly recognized that decentralization improves democracy and efficiency in the conduct of public affairs and allows for better meeting the needs of the citizens.

As stipulated in the Guidelines on decentralization and strengthening of local authorities, subsidiarity is the underlying principle of decentralization, whereby public responsibilities should be exercised by those elected authorities that are closest to the citizens.

### **12. Implementing the principle of subsidiarity**

To comply with the principle of subsidiarity, decisions should be taken at the level appropriate to the type of decision – international, national, regional or local - and local authorities should have full responsibility in spheres involving interests of citizens, except in those areas explicitly specified by national legislation.

National, regional and local responsibilities should be differentiated by the constitution or by legislation in order to clarify the respective powers and to guarantee access to necessary resources for carrying out the functions allocated to decentralized institutions.

To this end, national governments should:

- Submit proposals of legislation or amendments to the Constitution to the national law-making organs in order to determine the manner in which the local authorities should be constituted, the nature of their powers, and the scope of their authority, responsibilities, duties and functions;
- Transfer clear and extended responsibilities to local authorities through enabling legislation, in particular for the provision and delivery of basic services;
- Enable local authorities to develop their budgets within the limit of available resources allowed by the law, and foster partnerships with service providers, to settle contracts with national or international and small or large enterprises, and to engage civil society organizations.

The fact that these responsibilities are shared between different branches of the government as well as between central government and local authorities call for clear distribution of tasks and coordination, but should not lead to a diminution of local autonomy or prevent the development of local authorities as full partners.

This requires that the government:

- Ensures the participation of local authorities in decision-making processes at the national level;

- Combines bottom up and top down approaches in the provision of national and local services.
- Develop an integrated territorial planning framework articulated at different scales and based on the principle of subsidiarity.

### **13. Local authorities financial resources commensurate with responsibilities**

Effective decentralization requires appropriate autonomy, including in financial matters. Within the limits imposed by the national legislation and in compliance with the principle of subsidiarity, local authorities should enjoy full discretion to exercise and finance their initiatives with regard to any matter that is not excluded from their competences nor assigned by the central authorities to any other stakeholder.

To this end, national governments should:

- Ensure that local authorities have predictable budgetary transfers;
- Permit local authorities to levy income or land-based taxes, user charges, to accept donations and grants and, within a proper framework, to borrow and to issue bonds on the national market;
- Develop a national framework that provides guidance for lending to local authorities at reasonable rates, including in cases where the State sublets international loans;
- Create specialized financial facilities for local authorities if national capital markets are insufficient;
- Authorize local authorities to benefit from transfers from foreign Governments or local authorities and to directly receive soft financial resources from bilateral or international finance institutions;
- Determine conditions and criteria under which local authorities are permitted to borrow and to issue bonds on international financial markets to finance infrastructure, and authorize those who meet the criteria and have the required capacity to borrow directly or to issue bonds on international markets as well as to access the World Bank's International Finance Corporation and other international lending facilities.

On their side, local authorities should:

- Establish equitable local taxation systems, user charges and relevant rules of enforcement to ensure the collections of revenues;
- Strengthen service delivery, generate cash from tariffs for existing services and make efforts to mobilize resources legitimately due;
- Use credit resources only to finance investments and not to fund current operations or service debt;
- Develop and update regularly inventories of their physical assets that could be used as collateral.

### **14. Monitoring mechanisms and supervision**

The control of local authorities in the conduct of decentralized responsibilities aims at protecting the citizens and avoiding interruption in the delivery of basic services. It also aims at avoiding that national financial market be put at risk by excessive borrowings by the local authorities or that the balance of payments faces disequilibrium because of excessive abroad borrowing.

In exercising these responsibilities, central governments should comply with three principles:

- The supervision of local authorities is exercised in accordance with circumstances and procedures determined by the constitution or laws;
- The national or regional government may only intervene in local government affairs when the local government fails to fulfill its defined functions;
- Conditions for suspending a local council or dismissing local executives are clearly and exhaustively defined by the law.

In this context, national governments should:

- Monitor the indebtedness of local authorities to maintain national macroeconomic stability;
- Set rules in the event of bankruptcy that guarantee the continuity of services to customers;
- Conduct a posteriori verification of the legality of local authority acts.

Local authorities should:

- Adopt sound accounting practices, assess their own financial positions and fiscal performance, and submit itself to external auditing.

#### **D. Sustainable access to basic services for all**

As underlined in above Section A, access to basic services on a non discriminatory basis and in a sustainable manner is important for the improvement of socio-economic living conditions of the beneficiaries.

The United Nations has on several occasions through its treaties, conventions and declarations clarified the meaning of “accessible” and the concept of “non-discrimination”:

- Services are accessible if they are sustainably available, affordable, and if they are delivered in good quality, and in a culturally acceptable manner;
- There should be no discrimination on the ground of gender, racial or ethnic origin, religion or age in accessing basic services.

In discharging their responsibilities in the provision of basic services, national and local governments, service providers and civil society organizations should be guided by general principles and recommendations made in sections B and C above, in particular for:

- Involving and consulting all actors and beneficiaries;
- Establishing monitoring mechanisms.

These points and other recommendations made in sections B and C are not repeated in below four points that are of particular importance for the accessibility of basic services to all: planning, pro-poor policies, modes of partnership with service providers, and protection of the environment. Special attention is given to local authorities responsibilities.

### **15. Planning**

As said above, national governments hold the overall responsibility of making basic services accessible to all. It is their responsibility to design national policies for the different services in consultation with relevant ministerial departments and with local authorities.

National governments should:

- Set up policies and legislation, goals, and norms for the delivery of different basic services.
- Secure that low-income and informal settlements are integrated into national infrastructure development schemes.

In this framework, but also if such a framework is not finalized, local authorities should:

- Establish databases on the sustainable availability and quality of existing services and an inventory of needs, particularly those of vulnerable or marginalized groups;
- On the basis of these databases, prepare spatial plans and regulations for future urban growth and extension of services, consistent with national policies, plans, and norms if they exist.
- Consider how to provide services to informal settlements located on untenable, environmentally sensitive or privately owned land in consultation with all relevant stakeholders;
- Adopt local standards for services and quantitative and qualitative annual goals;

As compact cities are economic in terms of spatial use, better preserve the natural environment and reduce the costs of infrastructure, local authorities should, in the national framework for territorial management, organize themselves to:

- Develop a holistic approach to the city and control urban sprawl through density and land market regulations;
- Facilitate the settlement of the poor in areas where their jobs are concentrated and with as much as possible reduced exposure to natural disasters and negative climate change impacts.

## **16. Pro poor policies**

Central governments and local authorities, civil society organizations and service providers share responsibilities for improving access to basic services for the poor. Authorities should design pro-poor policies and legislation that include affirmative actions, targeted interventions, mobilization of community capacities, special tariffs and subsidies and an enabling legal framework. At the same time, when setting tariffs for the poor, national and local policymakers should ensure the financial sustainability of service delivery.

To design pro-poor policies, national governments and local authorities, at their respective levels, should:

- Study the profiles of low-income and informal settlements and conduct social and economic surveys on the situation of the poor, their aspirations and their priorities with a view to identifying potential beneficiaries of pro-poor policies. This should be done in consultation with legitimate and representative civil society organizations and community leaders as well as women and young people's groups, making particular efforts to reach excluded social groups lacking representatives and less able to take effective part in public consultations;
- Adopt alternative service standards if higher standards would discriminate the poor.

Among possible targeted interventions, national governments and local authorities could consider:

- The enhancement and affordability of the security of residential and business property tenure for the poor;
- The development of microcredit mechanisms to facilitate community investments in basic infrastructure.

To empower communities and the poor, the local authorities should:

- Recognize, where appropriate, the value of both community management of basic services at neighborhood and village levels and the work of small-scale enterprises and communities, including self-help initiatives, as a tool for self-empowerment;
- Mobilize slum-dwellers and other local stakeholders in the implementation of plans.

To reconcile pro-poor policies and sound business practices, governments and local authorities should, at their respective levels:

- Negotiate tariffs with service providers that enable both sound business operations and accessibility for all. Accessibility for the poor may mean free services up to a certain quantity, cross-subsidies between consumers or between various services and, eventually, subsidies directed to the poorest. Sound business means that fees permit to cover operation and maintenance costs and, for private service providers, a reasonable profit;
- Consider, depending on the service and the circumstances, whether to promote full cost recovery, which would enable service providers to reach financial autonomy for operation and investment needs (i.e., to operate without incurring losses and without subsidies), or to fill financial gaps with public resources, ensuring in both cases that the poor enjoy access to the considered service;
- Set conditions for the effective enforcement of taxes and fees for services, distinguishing between customers who choose not to pay their bills and those who are unable to pay;
- Monitor tariffs in the event of monopolies.

Civil society organizations should:

- Contribute to the provision of basic services to the poor;
- Raise potential beneficiaries' awareness of their rights and obligations.

Service providers should:

- Step up, in good faith, efforts to hire local workers and to build their capacities;
- Comply with norms and standards related to working conditions;
- Recognize their corporate responsibility to the communities where they operate and consider supporting health, educational or social services in those communities.

## **17. Partnerships**

Since various stakeholders share responsibility for the delivery of basic services to all, there is a need to encourage and, eventually, to formalize partnerships among them through appropriate legal and regulatory frameworks. This would facilitate lasting coordinated efforts for the provision of basic services.

In designing the framework within which local authorities can develop partnerships with service providers, national Governments should:

- Adopt clear rules and standards related to the various types of contracts between public authorities and service providers, such as service contracts, lease contracts, concession contracts, concession-BOT contracts, joint ventures, multi-utility contracts, etc.;
- Establish a regulatory framework for transparent and competitive selection of service providers and awarding contracts;
- Put in place a national supervisory system and assist local authorities, as necessary, in the negotiation of local contracts;
- Recognize the rights of local authorities to alter their contractual decisions, provided that affected contracting parties are properly indemnified;
- Adopt a legal framework for privatization, including independent monitoring, and the imposition of penalties in case of non-compliance with contract conditions.
- Recognize that service providers have access to appropriate indemnities and time-scaled adaptation in the event of legislative changes (in particular related to land, property or contract duration).
- Establish procedures in the event of bankruptcy or insolvency of a service provider that prevent the interruption of services;

Local authorities should:

- Decide whether to retain all or part of the production and delivery system as a public provider or to call on private enterprises;
- Base contracts on an accurate inventory of fixtures indicating the obligations of the contracting parties and a time horizon;
- Determine the best mode of providing services through the comparative examination of rates of return, quality of provision, impact on social and other rights, environmental protection and sustainability.

Service providers should:

- Fulfill contractual obligations, which includes compliance with norms and goals, in a timely and efficient manner and in conformity with sound public management or sound business practices;
- Deliver quality services to the population and seek regular and timely feedback from service recipients.

## **18. Environment**

Depending of the earth's various climatic zones, climate change may induce longer and more intensive drought periods, heavier rainfalls and an increased variability of precipitations, inland flooding and sea level rise, more intensive tropical cyclones, water scarcity, groundwater salinization and pollution from flooded sewages, crop insecurity and increased health problems. The poor are likely to be the more affected by these changes. This will force people to migrate within their country or into neighboring countries, putting additional pressure on scarce basic services in resettlement areas.

If the process continues unabated, the depletion of natural resources and increase in pollution will render impossible the delivery of some of the basic services to all. Central and local authorities, service providers and civil society organizations share the responsibility to make producers and users aware of these problems and to promote management methods and

techniques that economize limited natural resources and avoid further deterioration of the environment.

Governments and local authorities, at their respective levels, should:

- Identify sensitive areas that require specific protection;
- Include in their plans measures to mitigate the impact of climate change on accessibility to basic services;
- Set specific standards and regulations in such sensitive sectors as water and sanitation, waste management, energy and transportation;
- Prepare for providing basic services to displaced persons.

In their contractual arrangements with service providers, governments and local authorities should:

- Include provisions to ensure the sustainable management of natural resources and ecosystems, together with health protection and decent work practices;
- Make the emission level of carbon dioxide a criterion for measuring urban pollution and carry the responsibility for its improvement;
- Promote technologies and approaches that facilitate waste recycling and reuse.

Service providers should:

- Look for and apply eco-efficient technologies

To promote demand optimization and management among households and other service users, Governments, local authorities, service providers, and civil society organizations should:

- Raise awareness, particularly among women and young people, of the need to adopt sustainable consumption patterns and, in particular, to save energy and water.

## **Section 2 Recommendations to conduct the implementation and adaptation process**

The two sets of guidelines should be seen by national and local stakeholders as useful instruments to quickly review decentralization frameworks and basic services related policies, as well as existing practices and cross-sector complementarities and synergies requiring an integrated and flexible planning approach at different scale. This review should aim at identifying gaps vis-à-vis the two sets of guidelines and possible areas for improvement. National, sub-national and local governments should then decide, in consultation with other concerned stakeholders, to adapt the guidelines to national contexts and then develop action plans to improve the regulatory, operational and financial frameworks at different levels, with monitoring systems to evaluate related impacts on people's living conditions. The knowledge and use of the guidelines should be strongly supported by communication campaigns at all levels.

### **A. Four principles of the two sets of guidelines to be applied to the implementation and adaptation process at national and local levels**

#### **19. Nationally and locally owned processes**

The guidelines formulate recommendations to member States and international partners. Their effective contribution to improving access to basic services for all relies on voluntary engagement of national and local stakeholders to conduct the process of revisiting their related frameworks in light of the guidelines and draw their own action plans to improve the situation.

Most elements of relevant legal and regulatory frameworks are decided at national level (or sub-national where appropriate, i.e. countries with federal organization). However, most actions and practices related to basic services are decided and implemented at local level, inviting for an integrated review conducted at both levels to confront policy, regulatory and institutional frameworks with existing practices. It is expected that, under the leadership of a central body, associations of local governments and their partners actively participate in the implementation and adaptation process.

#### **20. Participatory approach**

As advocated by the guidelines, no stakeholder, including central governments that hold the overall responsibility, has the full capacity separately to ensure access to basic services for all. Substantial progress relies on articulated actions involving all concerned stakeholders. It is therefore important that all stakeholders participate in the national and local adaptation process.

This includes, for the national level and in addition to key central institutions responsible for policies in the different sectors and associations of local authorities, representatives of different categories of city governments, the private sector, including Chambers of Commerce and other specialized bodies, professional associations and independent experts, NGOs, national associations of service users and slum dwellers where existing and, at local levels, in addition to decision-makers and specialized departments of local authorities, private, public

and semi-public service providers, NGOs and associations concretely engaged in the delivery of basic services or in the representation of service users.

## **21. Cross-sector and cross-level approach**

As said in Section 1, basic services are all strongly interrelated and there is no example where significant progress was made in the access of one of the basic services without witnessing equivalent development for the others. The availability of one is necessary for the production or the delivery of the others. This approach requires strong inter-sector coordination, which remains a challenge in many countries and at all territorial levels. However, recent progresses are witnessed in many places where an integrated socioeconomic territorial planning approach articulated at different scales is developed to complement the decentralization process.

Another important issue is the inter-level vertical coordination between districts or neighbourhoods where communities can engage more practically, municipalities and cities where local authorities hold major related responsibilities and provincial and/or national levels where key legislative, normative, financial, and sometimes operational functions are anchored. Coherent inter-level financing frameworks are necessary to articulate different contributions and avoid frequent lack of stable contractual engagements and overlapping mandates and responsibilities between the different administrative levels that generate prejudicial political interferences. An additional point relates to the flexible approach required for coping with the cross-administrative boundary nature of urban development. This includes governance arrangements to manage metropolitan territories, alliances of Municipalities established to address common concerns, inter-municipal cooperation, cross-national border cooperation, etc. While some flexibility should be left to the decision of local governments, the national territorial management framework as well as the decentralization framework should include provisions to regulate such arrangements.

## **22. Monitoring impact on urban governance and access to basic services**

Preliminary reports and surveys to the preparation of the guidelines on access to basic services clearly demonstrated the causal link between principles developed in the guidelines and the concrete improvement of access to basic services. The extended consultative process conducted for the formulation also guarantees that all recommendations, if correctly implemented in each national/sub-national context, are instrumental to improve access to basic services.

However, it is of utmost importance that national and local decision-makers' policies are backed by monitoring instruments to measure the impact effectiveness of the improvement of the framework on the ground. Some elements related to benchmark indicators were discussed in the expert group conveyed for the formulation of the guidelines on access to basic services and it was decided to further encourage the development of monitoring tools and indicators at national or regional levels as the objective is to monitor the impact of normative improvements on effective delivery of basic services and urban governance in each context, rather than making international comparison.

## **B. Indicative methodological recommendations for the implementation and adaptation process**

Despite national and local specificities, common basic methodological approach could be adopted in all interested countries for the coordinated review and adaptation of the two guidelines. In addition, there is an obvious need for partners to engage in a clear process with detailed approaches, objectives, phases, benchmarks, outputs and time-limits adapted to national and local contexts and to be determined at the early stage of the process.

### **23. General recommendations on the adaptation process**

(i) The implementation process could be kick-started through an expert review and a national workshop for mapping purpose and for outlining the process.

(ii) Reviews for each basic service and the decentralization framework are normally available in most countries. The process of adapting the two sets of guidelines is an opportunity to further review national and local frameworks through cross-sector and inter-level integrated perspectives, build common understanding among various stakeholders and feed back the general as well as sector reform processes to take into account complementarities at all territorial levels.

(iii) Sector and cross-sector reviews and preparation of recommendations are neither decisions nor actions. The whole process should therefore be limited in time and kept into reasonable costs. A mechanism should be established to periodically review the situation and revise action plans.

(iv) The cross-sector approach may legitimate the selection of the leading institution for the coordination of the process. Where existing, Ministerial departments or national institutions covering decentralization issues and/or integrated territorial planning could directly play this role or partially delegate it. Appropriate resources should be made available to the leading institution that will be in charge of supporting the participation of stakeholders.

(v) Focal points from different sectors and stakeholders should be identified at early stage and organized in a balanced steering committee. Only key and interested stakeholders effectively involved in decentralization and service delivery policies and operations should participate in order to keep the process in a manageable size. Representation of the civil society and disadvantaged groups should be ensured.

(vi) Where the process is directly conducted at national (and/or sub-national levels as appropriate), sector and cross-sector reviews should be completed by assessments of local frameworks and practices in a set of representative cities. Depending on opportunities, interest to the process could be higher in a specific city than at national level. If the size of the city is significant, the process could then be initiated at city level before being scaled up to national (or sub-national) level with the support of associations of local authorities.

(vii) A communication strategy should be adopted at early stage in view of mobilizing and informing partners and providing feed-back to decision-makers and the broad civil society.

(viii) While the process itself is an opportunity for building common understanding among various stakeholders and feeding the reform process, it should be completed with a clear output in the format of adapted and compiled recommendations, including action plan and monitoring system. In many places, it will be difficult to bring all concerned sectors as well as decentralization actors together, review the decentralization framework and all basic services

and finally come out with full-fledged adapted guidelines and related action plans. However, it is advisable to cover as many services as possible in conjunction with the decentralization and strengthening of local authorities' framework. A realistic and concrete output should be clearly identified at early stage.

(ix) National plan of action should cover 3 components: legislation and policy reform, capacity development and monitoring, emanating from the process and from the governmental strategy for decentralization.

(x) International exchanges and participation into international dedicated dialogues offer good opportunities to interact with involved partners, contribute to the dialogue and learn from existing processes conducted in different countries. It is expected that the combination of the World Urban Forum and UN-HABITAT Governing Council sessions will continue catalysing this international dialogue. Regional approaches could represent a useful platform to deepen key issues related to similar contexts.

(xi) Three phases could be envisaged for the process:

Phase 1: Quick assessment, mobilization of stakeholders and process design

Phase 2: Complementary assessments, sharing information, cross-sector work and identification of priorities

Phase 3: Final output design and result dissemination at all levels, including international

#### **24. Phase 1: Quick assessment, mobilization of stakeholders and process design**

The quick assessment of gaps vis-à-vis the two set of guidelines should be done by or under the supervision of the leading institution with the involvement of other stakeholders. The steering committee functional framework with the list of members and the detailed design of the process, including the communication strategy, are crucial elements for the success of the initiative.

a. Most sectors responsible for basic services are periodically assessing situations at different levels and reform planning work and conclusions, where existing, should feed the process and the cross-sector approach. Similarly, periodic assessments of decentralization performances are available in many countries. Quick desk reviews and compilation, completed by interviews of key stakeholders, should highlight cross-service complementarities, synergies and gaps vis-à-vis the two international guidelines.

b. Assessments of gaps vis-à-vis the guidelines should be based on recent trends and perspectives, rather than historical and static reviews. Each sector framework should be briefly presented in terms of gaps vis-à-vis the guidelines and completed with simple and available indicators related to service accessibility, including appropriate territorial disaggregation and highlights on areas and groups of populations with lower access than average. In order to maintain the cross-sector approach of the guidelines, sector reviews should then be compiled and organized along the responsibilities of the different stakeholders.

c. Based on the quick assessment, critical and realistic priorities for addressing main gaps vis-à-vis the guidelines need to be identified at early stage to focus the work on key

issues, interact with relevant partners, determine precise and pragmatic outputs and design the whole process.

d. The quick assessment report should be largely disseminated and discussed with national and local stakeholders. Communication should be mainly electronic and workshops, if necessary, strategically organized as process milestones.

e. Intermediary outputs from the first phase should include (a) the quick assessment report on gaps vis-à-vis the guidelines with a list of key priorities to be addressed, (b) the steering committee functional framework with the list of members, the description of duties, responsibilities and procedures, (c) the budget and the detailed design of the process, including the communication strategy. All outputs should be discussed and cleared by the steering committee.

## **25. Phase 2: Complementary assessments, sharing information**

(i) Based on initial assessment and feedback from partners and stakeholders, complementary assessments could be conducted on critical gaps vis-à-vis the guidelines for specific sectors and issues, lessons learnt from more advanced frameworks related to specific basic services, public and user opinion including from representatives of low-income and disadvantaged groups and, in the case of national or sub-national initiatives, on practices and local frameworks in a balanced set of representative cities of different size.

(ii) Again, the consolidated and dynamic assessment should be largely disseminated and discussed with national and local stakeholders, then finalized through the steering committee.

(iii) Intermediary output of this phase should be the consolidated assessment of gaps between the national (or sub-national as appropriate) and/or local frameworks and the guidelines, together with performance indicators for each service delivery and highlights on areas and groups of populations with lower access than average. The consolidated assessment should be kept into a reasonable size.

## **26. Phase 3: Design of adapted guidelines and related action plans, communication and international interaction**

(i) Moving from gap assessment to adapted guidelines and coordinated transversal action plans is crucial for operationalizing the process. Adapted guidelines should separately or jointly address both issues of decentralization and strengthening of local authorities, and access to basic services for all, depending on national situations. Adapted guidelines should be as concise as possible. It will represent a set of recommendations to decision-makers that needs to be completed by indicative action plans to feed the reform process from an innovative angle.

(ii) Based on extensive consultations undertaken under above phase 1 and 2, draft adapted guidelines and related action plans should be prepared by a small team of experts with good background on concerns of main groups of stakeholders and under the supervision of the steering committee. Larger endorsement should then be sought through additional consultation of stakeholders. The final approval should fall under the responsibility of the steering committee.

(iii) Being a non binding document, the adapted guidelines can impact the normative framework and, more important, access to basic services for all, depending on the quality of the drafting process and its inclusiveness. Early participation of all groups of stakeholders into the process, including parliamentarians and the media, will also allow targeted and large dissemination of the recommendations.

(iv) Action plans should cover 3 components: legislation and policy reform, capacity development and monitoring. A comprehensive monitoring system should include a set of institutional, technical and financial arrangements to assess the implementation of recommendations and long term impact on urban governance and access to basic services for all. The system should include periodical evaluations and adjustment process with the participation of all groups of stakeholders. Maximizing the use of existing indicators, long term perspective and inter-sector approach should guide the domiciliation of the monitoring system.