PNG’s Reformed Decentralization Arrangement: Options for its Entrenchment and Intergovernmental Relations

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ENTRENCHMENT AND INTERGOVERNMENTAL RELATIONS

- Revitalizing decentralization based three cornerstones
  - Sec. 2 of 1976 Const: “the creation of political structures that will enable effective, meaningful participation by our people ... and in view of the rich cultural and ethnic diversity of our people for those structures to provide for substantial decentralization of all forms of government activity.”
  - 2015 report: system “no longer viable to achieve effective service delivery”

- Why are entrenchment and intergovernmental relations (IGR) key issues?
  - IGR unavoidable “oil” in any political machinery between governments at national and provincial levels
  - Entrenchment in constitutional, organic or ordinary law? Different degrees of legal protection and flexible adaptability
ENTRENCHMENT OF DECENTRALIZATION

- Why is decentralization entrenched and how? The case of Italy
  - Reasons for entrenchment of 5 special regions (vs. 15 ordinary regions): cultural diversity, location in periphery and (historical) fear of secession
  - What makes the 5 regions special? (1) statutes of autonomy negotiated bilaterally (leadings to different responsibilities and financial arrangements); (2) statutes of autonomy have constitutional rank

- Entrenchment of asymmetrical decentralization?
  - Because some provinces claim more responsibilities than others
  - Because more or less economic and administrative capacities to carry out certain tasks
INTERGOVERNMENTAL RELATIONS AND DECENTRALIZATION

- Different elements and dimensions of IGR, but in pursuit of the same goals
  - **Goals:** integration into country as a whole (complement to autonomy!), adaptation of decentralization arrangement, *political* conflict management
  - **Elements:** intergovernmental councils (politicians and/or civil servants, permanent or ad hoc) and intergovernmental agreements

- Two key issues for councils: horizontal cooperation and formalization
  - **Vertical** councils inextricably linked with decentralization process, but **horizontal councils crucial complement** > joint policymaking (tasks transcending boundaries, pooling capacities) and **one voice** vis-à-vis center
  - **Formalization** *may* reduce risk of marginalized council > frequency of meetings, agenda-setting, etc. (e.g. **RSA:** Ch. 3 of Constitution; 2005 IGR Framework Act)
CONCLUSIONS

Entrenchment of asymmetrical decentralization

✔ Reflecting differences regarding responsibilities claimed or economic/administrative capacities to carry them out

Horizontal intergovernmental relations between provinces

✔ Benefits are joint policymaking and one voice vis-à-vis the central government

Formalization of intergovernmental relations

✔ The more the inner working of councils is regulated, the lower the risk of councils being marginalized
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MULTIDIMENSIONAL IGR

National

Regional

Local

Vertical

Regional ↔ Regional ↔ Regional

Local ↔ Local ↔ Local ↔ Local

Horizontal
THE “HOUSE OF THE CANTONS”
FORMALIZED IGR IN SOUTH AFRICA

CHAPTER 3
Co-operative Government

Cooperative Governance
Traditional Affairs