

INTER-MUNICIPAL COOPERATION AND GOVERNANCE IN TURKEY

Mr. Suat Çağlayan – Tunis, 27th November 2019

With the legislation of Law No. 6360 dated 12.11.2012, the boundaries of the Metropolitan Municipality were made equivalent to the provincial territorial boundaries and the İzmir Metropolitan Municipality now serves to 30 districts.

With the application of two-staged metropolitan municipality management model in Turkey, many sub-level municipalities have been founded covering the borders of the metropolitan municipality thus it has been made possible that some of the collective local services are offered by sub-level municipalities, and many services, some of them are joint services, are offered by the metropolitan municipality.

In this management model, carrying out of the services in terms of harmony and coordination between the sub-level municipalities has been ensured by the metropolitan municipality. This duty and authority require the metropolitan municipality to have idiosyncratic supervision authority over the sub-level municipalities in certain fields.

Supervision Authority of the Metropolitan Municipality on the District Municipalities

In the two-stage metropolitan management system; The district municipalities, which are in the area of responsibility of the metropolitan municipality covering the whole city, provide some local qualified services and are under the supervision and coordinating authority of the metropolitan municipality in many areas such as transportation, infrastructure, reconstruction and budget.

The fact that the metropolitan municipality council is composed of members of district municipalities reinforces only the coordination and participatory nature of this structure. The aim is to transfer the needs of the districts directly to the metropolitan municipality council and to strengthen the link between the lower and the upper unit.

Agencies of Metropolitan Municipality

The administrative and decision-making bodies of the metropolitan municipalities are the Metropolitan Municipality Council, the Metropolitan Mayor and the Metropolitan Municipality Council. The mayor of the metropolitan council is the mayor of the metropolitan municipality and the mayors of the district municipalities are natural members of the metropolitan municipal council. The municipal assembly shall have the authority to obtain and audit information; through evaluating the annual report, audit commission, general meeting and no-confidence on the mayor.

Duties, Authorities and Responsibilities of Metropolitan Municipality

These duties, powers and responsibilities include; to prepare the strategic and financial plan of the metropolitan municipality, to make zoning and licensing the zones, and parceling plans and to make all kinds of zoning applications, to make the square, boulevard, avenue and main arteries within the jurisdiction of the metropolitan municipality, to make solid waste management plan, to perform the

services related to solid wastes and excavation, to build and operate terminal, parking lot, all kinds of wholesalers and slaughterhouses, and licensing these places, making, operating and licensing city parks, zoos, animal shelters, libraries, museums, sports, recreation, entertainment and similar places that helps to provide the integrity of the city, to build and operate facilities for health, education and cultural services when necessary and to carry out public transportation, transportation, cemetery, municipal police, water and sewerage services, to carry out all kinds of social and cultural services through health centers, hospitals, mobile health teams for the adults, the elderly, the disabled, women, youth and children.

Duties, Authorities and Responsibilities of District Municipality

The fact that most of the authorities of metropolitan district municipalities are under the control of metropolitan municipality, and some of the authorizations are changed and approved by metropolitan municipality limits the district municipalities in terms of service provision. It is also noteworthy that there are common service areas of metropolitan municipalities and district municipalities whose service areas overlap spatially.

Inter-municipal Service Relations and Coordination in Metropolitan Municipalities

According to this article, in case of disputes between the municipalities themselves or between metropolitan municipality or different applications between district municipalities, the metropolitan municipality council has the authority to take guiding and regulatory measures in order to eliminate these conflicts and different applications.

As a coordination unit, the metropolitan municipality, is able to develop collective projects with district and first level municipalities and make investments, in order to provide balanced development and local joint qualified services throughout the city.

The metropolitan municipality shall be able to provide financial and in-kind assistance to the district and first-level municipalities, with the proposal of the metropolitan mayor and the council vote, for the financing of the projects included in the investment program of the relevant municipality, provided that it does not exceed 10% of the final year budget revenue and the appropriation in the budget is reserved.

Participation of District Municipalities in Planning Processes of Metropolitan Municipality

'Preparing the strategic plan, annual targets, investment programs and budget of the metropolitan municipality by taking the opinions of the district and first degree municipalities'

Revenues of Metropolitan Municipalities

The revenues of the metropolitan municipalities can be divided into two groups as 'Core Income' and 'General Budget Tax Revenue Shares'.

General Budget Tax Revenue Shares are allocated revenues transferred to the account of the related metropolitan municipality over the sources of income that are

made from the total of the collection of impositions, assessment, collection by the Central Government.

Within this framework, the municipalities' own revenues are as follows:

- a) 20% of the Entertainment Tax obtained from the joint bets including horse races to be collected by the metropolitan municipality, the remaining 50% after the division of the races subject to the joint bets to the municipality of the place where the races are held, and the remaining 50% after the separation to other districts and first-tier municipalities,
- b) All kinds of municipal taxes, duties and fees to be collected within the social and cultural facilities, sports, entertainment and recreation places and green fields left to the Metropolitan Municipality,
- c) Taxes and hanging, allocation and maintenance fees of all kinds of advertisements and advertisements on the areas (squares, boulevards, streets and main roads) and the buildings which have façades to these areas,
- d) 50% of the income obtained from the operation of the parking spaces determined by the metropolitan municipality within its area of responsibility after the 50% to be distributed to districts and first-tier municipalities according to their population,
- e) Shares of participation in road, water and sewage expenditures to be taken in accordance with the rates and principles specified in the Article on Municipal Revenues No 2464, provided that the services are given the metropolitan municipality,
- f) Rent, interest and penalty income,
- g) Aids of public administrations and institutions,
- h) Income to be transferred as a result of the surplus between the revenues and expenses in the accounts of the affiliated companies,
- i) Shares purchased from the gross revenue of the metropolitan municipality's economic enterprises at a rate determined by the metropolitan council;
- j) Revenue of movable and immovable property of metropolitan municipality,
- k) Fees to be charged for services to be performed,
- l) Conditional and unconditional donations,

Within the boundaries of the metropolitan municipality, the building and land taxes to be collected according to the Law on Real Estate Tax are collected only by the metropolitan district municipalities, not by the metropolitan municipality. Tax revenues of metropolitan municipalities include Advertisement and Advertising Tax, Fire Insurance Tax, Environmental Cleaning Tax and Entertainment Tax.

According to the current regulations, Environmental Cleaning Tax is collected by the district municipality or water and sewage administrations and 20% of the tax collected is given to the metropolitan municipality as a share. The ratio of tax revenues in total revenues of metropolitan municipalities is quite low.

In 2009, 2.20% of total income was tax income, whereas in 2010, 2.15% of total income was tax income.

The budget draft is submitted to the municipal council by 1st of October in metropolitan district municipalities and by 1st of November in metropolitan municipalities. Municipal councils transfer the draft budget to the plan and budget commission, and the Commission submits its report to the parliament. The metropolitan district municipal councils discuss the budget draft within twenty (20) days including the plan and budget commission process, and finalize it in October.

The budgets of the district municipalities are being discussed in the metropolitan municipal council in November. The budgets of metropolitan and metropolitan district municipalities are negotiated and resolved in the metropolitan council during the same meeting period and are printed as a single budget. The approved budget is sent to the district municipalities.

In the formation of the budget of the metropolitan municipality, the budgets of the district municipalities are taken into consideration and all of them are evaluated as a whole.

According to the mayors, the problems experienced between the metropolitan municipality and the district municipality are;

- Inequality in the distribution of resources and services,
- Uncertainty of duties, powers and responsibilities,
- Although the metropolitan municipality is equipped with superior powers, it is due to the lack of authority of the district municipalities which are the closest unit to citizens.

According to the members of the Metropolitan Municipality Council, the problems experienced between the metropolitan municipality and the district municipality;

- Although the metropolitan municipality is equipped with superior powers, the district municipalities which are the closest unit to the citizens are disqualified,
- The failure to fulfill the duty of adaptation and coordination by the metropolitan,
- The difference of political parties between the metropolitan and district municipalities,
- It stems from the lack of internalization of local democracy.

According to the Metropolitan Municipality Bureaucrats, the problems experienced between the metropolitan municipality and the district municipality;

- Political party differentiation between metropolitan and district municipalities,
- The uncertainty and coexistence of the areas of authority and responsibility.

According to the bureaucrats of district municipalities, problems experienced between metropolitan municipality and district municipality;

- Although the metropolitan municipality is equipped with superior powers, the district municipalities which are the closest unit to the citizens are disqualified,
- It stems from the lack of internalization of local democracy.

Within this framework, according to the frequency of the answers given by all officials, the problems experienced between the metropolitan municipality and the district municipality are predominantly;

- The political party differentiation between the metropolitan and district municipalities,
- Requesting the district municipalities which are the closest unit to the citizens despite the fact that the metropolitan municipality is equipped with superior powers,
- Uncertainty and coexistence of duties, powers and responsibilities,
- Local democracy cannot be internalized sufficiently.
- It is due to the failure to fulfill the duty of coordination and coordination by the metropolitan area.