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## 1. Executive Summary

When the government of Ecuador introduced to the world its visionary constitution and its bold plan for reframing the direction of development according to the precepts of *Buen Vivir* and the Social Knowledge Economy, it held open the possibility of a wholly new conception of governance and of the role of citizens in both defining and defending the common good. The new direction seemed to capture perfectly the spirit of the times. A national government was finally responding to the questions of environmental stewardship and economic sustainability through an engaged citizenry and the belief that governance is a shared responsibility and central to a new conception of the state and its role in stewarding the common welfare of its citizens.

This paper builds on this belief and explores the concept of the Partner State in relation to a social knowledge economy and the concept of *Buen Vivir* as the foundations of Ecuador’s National Plan for Good living.

Drawing on both the theoretical and practical foundations of the Partner State as a model of governance, the paper argues that the proposed transition to an economy based on social knowledge and the realization of *Buen Vivir* requires a radical restructuring of the State apparatus toward a direction of increased empowerment and meaningful engagement of both civil society

and economic agents in the small firm economy as prerequisites for this transition.<sup>1</sup> In this context, the Partner State is presented both as the necessary vehicle for the fulfillment of *Buen Vivir* and as the culmination of this process. The idea of the social market is also advanced as a means of enlarging the scope of social economy activities throughout the economy and as a central aspect of a Partner State approach to empowering civil society.

Throughout the paper we emphasize the crucial roles of co-operation, social capital, and the common good. They are the ethical foundations of a State in which the civil principle is foremost. The practice of co-operation reinforces and cultivates further co-operation and we argue that a primary aim of the Partner State is the promotion of co-operative systems that replenish social capital and the attitudes and skills that promote sharing and the pursuit of social aims. A social knowledge economy is thus very much a co-operative economy.

Just as the vision of a social knowledge economy and *Buen Vivir* represent a radical departure from neo-liberalism, so does the Partner State represent a departure from the State as the command and control apparatus from which economic and social development proceed. The Partner State, in which active citizenship for the common good is a defining feature, is the political expression of a society in which knowledge, economics, and social policy are all in service to civic values and the common good.

The discussion that follows presents the theoretical basis for the adoption of the Partner State as the model that best corresponds to the aims of *Buen Vivir* and of the Citizen's Revolution that brought Good Living into national, and international, debate. It explores the means by which such a governance model might be applied, the basic policies and institutional structures that a Partner State would require for its operation, and those areas of economic and social policy where the Partner State model might best be introduced. Such a policy is indispensable for the construction of a truly plurinational body politic that combines the primacy of territorial and indigenous rights with subsidiarity, deliberative democracy, and the sustainable co-management of natural resources.

The final section of the paper addresses the urgency of securing the commons as the material basis for collective forms of living. We discuss the emergence of governance models dedicated to protecting and enhancing the commons through their co-management with civil society, and examine the example of Bologna as Europe's first Commons City as a model for Partner State governance. We then extend the potential of this model to the co-management of natural resources as a form of commons on a large scale.

The paper concludes with a brief discussion on the cultural and institutional challenges that confront the transition to the Partner State as model of governance for Ecuador.

## 2. Introduction

For over thirty years now, the welfare state as established after the Second World War has been under constant siege, following the rise of neo-liberalism in the UK under Thatcher and then in the US under Ronald Reagan. Today, the corrosion of the welfare State is far advanced, fuelled by the continuing crisis of the global capitalist economy and the hollowing out of the public economies in Europe under the austerity policies imposed by the EU, the IMF, and the European Central Bank. All of this has been conducted under the banner of a neo-liberal doctrine that

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<sup>1</sup> It is also important to note that the small firm economy includes those social economy organizations such as co-operatives and other social enterprises that trade in the market.

rationalizes the disappearance of the State as a legitimate player in the economy along with the privatization of public assets and the colonization of the public economy by capital.

At a time when many are searching for viable alternatives to the traditional Welfare State on the one hand, and the emerging Corporate State on the other, the idea of the Partner State is a new formulation in which the State is both the guarantor of public welfare and the promoter of civic values. Combined with the interest of the Ecuadorian government to promote a new economic and social paradigm through the use of open knowledge and commons-based economic principles, the Partner State emerges as a model that marries the values of the Citizen's Revolution and the 2008 Montecristi Constitution with the vision of the National Plan for Good Living.

Throughout Latin America, the rejection of neo-liberal policies by the region's electorate has been reflected in the ascension of governments that are reclaiming and resurrecting the State as an indispensable player in economic and social planning. This is certainly true in Ecuador where according to the National Plan for Good Living,

*Recovering the State and its role in planning, administrating, executing, distributing and redistributing has ... been vital to guarantee and open up opportunities for participation by persons, communities, peoples and nationalities in order to formulate, implement, evaluate and oversee public policies and public services<sup>2</sup>.*

The question that needs to be answered however is: what kind of State best reflects these values and principles?

The concept of the Partner State is based on the premise that in an era of unrestricted and flexible capital accumulation, the attempt to mitigate the deprivations of the worst off through social safety nets and short-term policies is wholly insufficient to bring about a fair and equitable socio-economic order.<sup>3</sup> This has been the experience and the lesson of the Welfare State. As World Bank analyst Ana Ravegna has remarked, short-term policies are designed to buffer the worst-off from shocks that are treated as incidental and temporary, not systemic. The consequence is that such policies are incapable of dealing with systemic problems of permanent poverty, inequity, and long-term unemployment – all of which have become defining features of capitalism today.

More to the point, the prevailing paradigm of the Market State, in which the apparatus of government is geared primarily to the protection of existing capital control over economic relations, means that the inequities and injustices of capitalist systems will continue to grow. Picketty's book, "Capital in the 21<sup>st</sup> Century" shows this clearly. The contemporary Market State is an extreme extension of utilitarian notions of economics in which social relations are subjected to the priority of capital accumulation, and individual self-interest eclipses the interests of society as a whole. Personal worth becomes a function of personal wealth. Such a State and such an economic system are not only incapable of redressing the economic and social ills described above – they are the mechanisms by which these social inequities are perpetuated.

To achieve the kind of society envisaged by the National Plan, a fundamental reframing of the role of the State is necessary. This includes the implementation of structural policies aimed at providing all members of society with a far higher degree of socio-economic sovereignty and political agency so that citizens have "This includes the implementation of structural policies aimed at providing all members of society with a far higher degree of socio-economic sovereignty and political agency so that citizens have "the wherewithal to operate normally and properly in...

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<sup>2</sup> National Plan for Good Living, 2013-2017, 3.3 Active Citizenry, pg. 28

<sup>3</sup> Cosma Orsi, The Political Economy of Reciprocity and the Partner State, 2007

society without having to beg or borrow from others, and without having to depend on their beneficence.”<sup>4</sup> Access to the essentials of a productive and rewarding life are not a function of market power but rather of the rights of citizenship. Such a policy is also indispensable for the development of a society that is decent, which is to say, a society whose institutions do not humiliate its members.<sup>5</sup> The emergence of a decent society is thus intimately linked to the democratization and humanization of its public institutions.

In this paper, we outline the features of the Partner State, its relevance for the National Plan, and the kinds of policies that would promote its realization in Ecuador. In particular, we outline policy recommendations in five priority areas:

- a) Democratization and co-construction of public goods and services
- b) Democratization of the economy & the productive matrix
- c) Social Income and economic independence
- d) Securing the Commons
- e) Co-operativizing the Culture

We also outline specific areas of application, both in the private and the social/solidarity economy, that seem most opportune for initial implementation.

### 3. The Partner State<sup>6</sup>

In its evolution, the idea of the Partner State proceeds directly from the principle that civil society is the source of political legitimacy in a democracy. In this view, the State is in the service of civil society as a vehicle to advance and protect the common good.

The Partner State is an enabling State. Its primary purpose is to maximize the capacity of civil society to create social value and to act as an equal partner in the formation and delivery of public policy for the common good. The enabling role of the State is not confined to the promotion of social value. It also entails the promotion of open access to the economy. It provides space for many models of entrepreneurship, including collective and commons-based forms of enterprise such as co-operatives and peer-to-peer networks, and the promotion of participatory politics. The Partner State enlarges the scope of personal autonomy and liberty while reinforcing the social bonds that build healthy communities and a vibrant civil society. Central to this process is the democratization of the State itself.

Traditionally, the State has been viewed as the final arbiter for the regulation and operation of three broad economic sectors in society – the private sector, the public sector, and the social/solidarity economy.<sup>7</sup> Each of these sectors operates on a distinct set of economic principles and values. The private sector utilizes the principle of exchange equivalence (price) to create profit – its values are wealth accumulation and market efficiency; the public sector (the State) uses the economic principle of wealth redistribution to provide for public goods – its values are equity; the social economy utilizes the principles of reciprocity and mutuality to promote social aims. – its values are social utility and human solidarity whether they operate in the area of social goods and services or in the broader market economy.

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<sup>4</sup> Ana Revenga, Director of Equity and Poverty Reduction, World Bank

<sup>5</sup> A. Margalit, *The Decent Society*, Harvard University Press, 1996

<sup>6</sup> The notion of the Partner State was first elaborated by Cosma Orsi in his paper, *The Political Economy of Reciprocity and the Partner State*.

<sup>7</sup> Throughout this paper we use the term social economy to denote what is also termed as the third sector, the social economy, and the popular/solidarity economy.

In modern times, the regulatory role of the State has habitually swung from the promotion of either the private sector through support of the capitalist economy, or the redistributive function of government through State control of economic planning. The first submits the public and social economies to the requirements of capital; the second submits the capitalist and social economies to the needs of centralized State planning. Both models have come at unsustainably high economic and social costs. And while there have been varieties of these two models, mostly in some combination of public and private dominance, there has never been an instance in which the needs of civil society and the values of the social economy have predominated in the State's management of economic and social policy. In theory and practice, the Partner State is the first State formation to do this.

Consistent with the values and operating logic of the social economy, the use of reciprocity and mutuality as central tenets of economic and social development transforms and re-orientes the State toward civil society as the primary engine for the creation of social value for the common good. With social values, equity, and sustainability at the foundation of public policy the Partner State also re-orientes the role of government toward the private economy and the operations of the public sector. The private and public sectors still retain essential functions in the national economy and in society. The profit motive and private business continue to play a role. The difference is that in the Partner State the respective roles and powers of the commercial market and the public economy are counterbalanced by the primacy of the common good as the framework within which public policy is formulated and enacted.

The institutions of civil society are thus central to the realization of this vision as is the development of public policies and practices that translate this vision into meaningful political participation from the level of local neighborhoods to the directing institutions of government itself.

How then, may such a model be made real? What are the policies and practices that are essential to its operation? Where are the examples that may serve as models for application in Ecuador?

## 4. Social Economy and the State

Before discussing how a Partner State would operate, we must first consider the economic, cultural, and structural differences that differentiate the State from the social economy. As outlined above, the state and the social economy are two very different types of economy.<sup>8</sup> The State is structured in terms of bounties and levies and its principle source of income is taxation that is levied on behalf of the entire citizenry. Its services are generally free and administered through a highly centralized system of hierarchical control. In a representative democracy, the operation of state services depends on a ladder of accountability that reaches from the front line worker up through the departmental hierarchy to a Minister who is then answerable to a representative Parliament, or directly to a head of State.

This is a system that is characterized by a high degree of control over functions and behaviours and which has a built-in bias against uncertainty, innovation, and individual initiative. Power is imposed and flows from top to bottom and the legitimate exercise of this power rests internally with the designated managers of the civil bureaucracy and the Ministers they report to, not to

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<sup>8</sup> This section and the structural schematic that it contains are derived from Robin Murray's very valuable critical remarks on this paper.

external stakeholders, except as mandated periodically, and very indirectly, through the broader electoral process.<sup>9</sup>

The internal economy of this system is based on the negotiation of tax or debt-financed budgets that are bargained over by a small group of Ministers and senior civil servants. The main forms of control are over expenditures rather than outcomes (or desires), and insofar as power is exercised through control over budgets it is a system that encourages expenditure up to the budget allocated.

The social economy operates very differently. As Robin Murray states, whether it involves social ventures selling into markets, or grant based organizations, or informal associations of households, the social economy is impelled by a strong element of enthusiasm and a sense of vocation. It relies on the willing contribution of time, finance and ideas in pursuit of an idea or social mission. It is the quality of this idea and the capacity to communicate, inspire interest, mobilize resources, and realize the idea in practice that determines the relative magnetism of the venture. If the idea or mission grows stale and/or the hope of its realization ebbs, then the willing contributions of citizens will decline. It is this which acts as the discipline – similar in some ways to the discipline of the market – as against the disciplines of accountability in relation to budgets and political aims that characterize the state. The social economy is mission driven rather than cost controlled on the basis of budgets, as is the case with the state.

The structures, labour contracts, aims, and culture of the two systems follow from the above. And it is these differences that make effective partnering between State and civil society structurally difficult. The diagram below highlights some of the differences that need to be addressed for a partnership to function.

| <b><i>Features</i></b>   | <b><i>State</i></b>                                  | <b><i>Social Economy</i></b>   |
|--------------------------|--|--|
| Size                     | Large scale  | Distributed  |
| Structure                | Vertical hierarchy                                   | Horizontal   |
| Culture                  | Rule based/impersonal                                | Entrepreneurial/affective  |
| Accountability           | Mediated taxpayers                                   | Unmediated, voluntary energy, civil stakeholders   |
| Source of finance        | Tax  | Voluntary/dues/grants/market   |
| Organizational stability | Permanence   | Fluctuating/fluid  |
| Relational stability     | Fluid  | Stable   |
| Knowledge                | Aggregated/government through statistics, controlled | Granulated, distributed, open  |
| Atmosphere               | Routine, predictable                                 | Uncertain, exploratory   |
| System                   | Stable   | Chaotic  |
| Dynamic                  | Cost drift   | Social Capital accumulation and mission achievement                                      |
| Labour                   | Structured roles/unions                              | Structured around capacities and social vocation of labour and volunteers, non unionized |
| Wage structure           | Unequal  | Egalitarian  |
| External relations       | Transactional  | Generative   |

<sup>9</sup> We are describing here the *formal* structure of the state apparatus and we of course recognize that there are other *informal* circuits of power and influence that lie outside the structure, as for example between various interest groups and government ministers and officials. Not being mediated through the system of representative accountability that legitimizes the actions of the State, these power relations – although very real and in many cases decisive – remain outside the scope of the formal institutional relations between State and civil power we are exploring here.

Given these differences, it is easy to conclude that a working partnership – a new social contract in effect – is impossible between the State economy on the one hand and the social economy on the other. But this would be to ignore the fundamental commonality of purpose that is shared between the two systems. Both are concerned, and their legitimacy is derived, from a commitment to social as opposed to private goals. In this very fundamental sense, they are extensions of the solidary principles that constitute the operations and aims of the broader civil society that sustains and validates both systems. In pursuit of these civil aims, the State offers stability and scale while the social economy generates creativity and social connection.

All living things and all social systems, as with all matter, are a delicate balance of order and chaos. Order alone leads to entropy. Creativity alone leads to chaos. A State model based on public-civil partnership offers the potential of achieving a vitality and efficacy that each sector on its own is unable to achieve. The art is to establish a division of labour that corresponds to the aims and dispositions of the two cultures.

The state has the capacity to be a synthesizer and facilitator, to set the rules and provide a basic flow of core funds that allows a distributed system of social enterprises to flourish. It has the capacity to organize large projects, and at national scales. It represents the general interest, however mediated its mechanisms. The social economy on the other hand is a source of innovation, of distributed production, and in particular of relational production – something essential to the provision of human services. It is a space of personal and productive democracy in contrast to the state’s representative and deliberative democracy. In a very real sense, the two domains manifest the requirements of collective versus personal citizenship and each is the necessary complement to the other. A new social contract must be based on this fundamental framework.

How then, might such a partnership work? How can the interface between these two admittedly contrasting economies be made more permeable and productive? The following section offers some directions.

#### 4. 1.1 Democratization and Co-construction of Public Goods and Services

In our document “Public Policy and the Social Economy”, we explore the kinds of legal and policy instruments that are necessary for strengthening the institutions of the social/solidarity economy so that it is *able* to play the role of partner as envisaged in the Partner State. Chief among these are

- a) The development of a true social market that enlarges the scope of the social/solidarity economy and of social economy organizations throughout the economy;
- b) The creation of civil and community-based institutions that mediate between government and individuals for the creation of social goods and services; and
- c) The progressive democratization of public goods and services through the transfer of institutional control from State bureaucracies to democratically-governed civic bodies.

Elsewhere, we have written at length on the economic, social, and quality of life benefits that are made possible by the democratization and decentralization of public goods and human services.<sup>10</sup> With respect to social care, these include the reduction of service costs due to the elimination of bureaucracy and rent-seeking; the increase in service quality and service innovation due to the involvement of users in the design and delivery of services; the increase in self-esteem and personal empowerment for service users through the exercise of their control rights; and most

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<sup>10</sup> Public Policy and the Social Economy, IAEN, 2014; Humanizing the Economy – Co-operatives in the Age of Capital, New Society Publishers, 2010

importantly the creation and expansion of caring relationships among persons as the primary purpose and outcome of social care systems.

Neither the privatization of social care, which instrumentalizes people for the generation of profit, nor the de-personalization of care by the State, which submits individuals to the impersonal requirements of bureaucracy, are capable of humanizing care or of responding adequately to the real needs of individuals and their communities. The creation of civil bodies, operating at local and regional levels, and providing a mechanism whereby individuals may directly determine the nature of the care they receive, is one indispensable condition for the operation of a Partner State model with respect to the provision of social care. The other is a mechanism through which government and civil interests can collaborate on the design and delivery of human services, at local, regional, and national levels.

The National Plan is explicit in its call for the decentralization of economic and social planning to the territories. The Plan recognizes the importance of local involvement by governing bodies and citizens in the implementation of the National Plan and in the ongoing planning decisions made with respect to both economic and social development. The use of subsidiarity as a key principle of inclusive planning is thus central to the reform of public services as a defining characteristic of the Partner State.

The legislation governing the creation and operation of co-operative and other social economy organizations is one area of public policy in need of reform. To this end, specific provisions that recognize and reinforce the role of social economy organizations in the development and delivery of social care to their communities are of paramount importance.

These provisions would include:

- The recognition of social co-ops and multi-stakeholder structures as unique models for the provision of social care;
- The recognition and promotion of mutual interests for serving the common good by local public authorities and social care co-operatives, with particular emphasis on social inclusion and service to the most vulnerable;
- The implementation of tax and financing supports that support the operation of social co-ops and other social organizations as key partners in the provision of human services and the advancement of public policy;
- The creation of local and regional councils that enable the collaboration and co-construction of human services through the joint participation of civil and governmental bodies;<sup>11</sup>
- The development of participatory budgeting and the allocation of resources – including free and open access to government data – for the provision of human services at local, regional, and national levels.

Among the best examples of this approach to the decentralization and democratization of human services is to be found in Italy.<sup>12</sup> In the Italian model, social co-operatives work closely with local government authorities to identify service needs, to design the provision of services, and to negotiate the terms for the delivery of services, including budgets and quality control measures. The co-design and delivery of social care services is supported through a system of subsidiarity that grants local authorities the power to identify service needs and to commission the provision of these services through accredited co-operative or other non-profit service groups.

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<sup>11</sup> The serving government has instituted a policy of neighborhood councils throughout Ecuador. However, insofar as these councils are directly associated with the political movement of the Correa administration, and not the broader civil society, a new apparatus with direct accountability to the broader public would be required.

<sup>12</sup> J. Restakis, *Humanizing the Economy – Co-operatives in the Age of Capital*, Ch. 6, 2010



Consistent with the National Plan, the progressive democratization of human services entails a new governance matrix that maximizes citizen participation in the design and delivery of human services at those levels closest to the actual provision of care.

In addition to facilitating a partnership approach at the local level, the matrix must also allow for efficient planning and governance of human services at regional and national levels. To this end, we propose the adoption of viable systems models (VSM) that maximize local decision-making and autonomy. Viable System Models enable scaling to higher orders of service delivery through the adoption of co-operative governance structures that engage both civil society and government in jointly controlled institutions at the provincial, canton, and parochial levels of governance.<sup>13</sup>

The co-construction of public goods and services through an institutional framework that fosters public-civic partnerships is at the heart of the Partner State as envisioned here. To this end, the following policies are proposed as an initial framework for recasting the role of the State from one of dominating control over the production of public goods and services, to that of promoting and enabling the civic production of goods and services as a form of protected commons. Indeed, many of these policies are proposed in the National Plan and in numerous policy documents of the government.

Recommendations:

- a) That regional and local governments participate in a social procurement policy that promotes social economy organizations for the production of social and human services;
- b) That the provision of these services be designed and developed in collaboration with social economy associations in the local jurisdiction;
- c) That a review of existing procurement policies, *including trade agreements*, be undertaken to identify and remove existing barriers to social procurement by social economy associations;<sup>14</sup>
- d) That an office for social procurement be established to provide advice and technical assistance to government and social economy associations in the design, development, and procurement of public services.
- e) That a strategic review be undertaken by government (i.e. SENPLADES) to examine how co-construction of public goods and services might best be undertaken in Ecuador and in which areas.

#### 4.1.2 Shared Services

Recommendations:

- a) That the government, in collaboration with social economy organizations, identify specific areas in which services may be shared, and co-produced, by social economy organizations working in co-operation;
- b) That the creation of shared service consortia be supported to provide strategic shared services on the basis of local and regional jurisdictions;
- c) That shared service consortia and centres be funded from the contributions of member associations and investments from social economy funds;
- d) That shared service consortia and centres be collectively owned and controlled by their user members;

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<sup>13</sup> See J. Walker and A. Espinoza, *The Viable Systems Model*, Laurel Bank Associates, 2011; *A Complexity Approach to Sustainability: Theory and Application*, Imperial College Press, 2011

<sup>14</sup> This is a key issue. Should the Correa administration sign the proposed European Free Trade Agreement (EFTA), government procurement policies which are a central policy tool for transition to a Partner State model, would be impossible to implement.

- e) That shared service centres include the possibility of representation on their board by an appropriate government designate;
- f) That a majority of consortia and centre board directors be derived from user members and that non-member directors may not exceed 20% of a board's directors.
- g) That the government, in partnership with the co-operative sector, establish a co-op development program to fund the development and support of new co-operative enterprises, including the provision of technical assistance and training;
- h) That the government provide incentives for co-operation among social economy organizations for the production of social goods and services;
- i) That the operations of IEPS be mandated to study, monitor, track employment, identify strategic needs and trends, and provide educational and research services for the social/solidarity economy of Ecuador.

### 4.1.3 Strategic Planning & Design – Regional and Neighborhood Councils

Recommendations:

- a) That each municipality be required to establish a joint municipal/civil council for the purpose of determining priority needs for the provision of social services;
- b) That municipal/civil councils promote the production of goods and services by social enterprises that meet social and environmental objectives and contribute to job creation, responsible consumption, personal and social well being, and new services not provided by either the public or private sector;
- c) That the council be composed of an equal number of local government and civil society representatives;
- d) That civil representatives be selected through a free and open democratic selection process by social economy organizations in that jurisdiction;
- e) That the chairmanship of the councils be shared between a Chair and a Vice Chair to be drawn from government on the one hand and civil society on the other;
- f) That the positions of Chair and Vice Chair be held for a term of two years;
- g) That the position of Chair alternate between the government and the civil representative every two year term.

## 4.2 Guarantee of Minimum Economic Independence

### 4.2.1 Social Income

Among the most significant achievements of the Ecuadorian state for the advancement of social protection is the use of the Bono de Desarrollo Humano (BDH) for the alleviation of poverty and the improvement of educational and health outcomes. The BDH has led to increased school retention rates, increased health care visits, and a reduction of people living below the poverty line from 49 percent in 2002 to 37 percent in 2010. Additionally, the ratio of income inequality in Ecuador has been declining steadily since 2003.<sup>15</sup> Compared to other Conditional Cash Transfers (CCTs) in use by governments in the region, Ecuador's BDH has also achieved a higher level of coverage as a percentage of the total population (44.3 percent for 2010).<sup>16</sup>

<sup>15</sup> Ryan Nehring, Social Protection in Ecuador: A New Vision for Inclusive Growth, Research Brief, August 2012, No. 28, International Policy Centre for Inclusive Growth

<sup>16</sup> *ibid*

One important innovation in the operation of the BDH is the use of a public-private partnership between the State and the nation's banks. The partnership allows for BDH payments to be made to individuals directly through bank accounts, ATMs, and direct deposits. This approach ensures significant coverage while minimizing the incidence of patronage and clientelism in the administration of the program.

In conjunction with other social programs such as the *Red de Protección Solidaria* (RPS) – the family insurance program, *Cobertura de Protección Familiar* (CPF), and the *Crédito de Desarrollo Humano* (CDH), Ecuador's social protection programs are rights and opportunity-based policies. They are founded on the theoretical underpinnings of *Buen Vivir* as a strategy that looks beyond the quantitative measurements of economic performance and establishes a new vision for economic inclusion, transparency and citizen participation. The BDH as a social income is a key element in the realization of this aim.

These are essential theoretical and political foundations for the transition to a Partner State. Not only do such social income programs ensure a measure of social security and equity; they also establish the socio-economic basis for the emergence of an autonomous economic space for a true social market. They provide a social form of capital that can be used to finance the development of new forms of social enterprise and to enlarge the scope of the social/solidarity economy as an autonomous, civil complement (not a substitute) to the public sector.

But important as such programs are, they remain under the exclusive control of State institutions. They are not yet in a form where they could play a transformative role for the inception of a Partner State. For this, a new mechanism for the shared management of these systems by government and individual citizen-users is required.

How then, might the idea of social income be re-imagined for it to become a building block in such a transition? That is to say, how might a State-supported social income be fully integrated into the social/solidarity economy and so become a collective social resource that can be used by civil institutions for the production of social value? By social value we mean the creation of goods and services whose value is determined by their social utility and social benefit, not their exchange value as commodities in the market. A key area for implementing such a transition is in the use of social income to create a social market for the production and consumption of human services.

One avenue to explore is the expansion of the BDH to transform it into a universal social income which can be used to fuel the expansion of the social economy through the creation of a social market for human and social services. One approach is to provide an addition to the BDH in the form of a social voucher or social currency that may be exchanged for services that would be offered by social economy organizations that have been established for this purpose. Such a system could begin with a targeted social currency that provides support for human services such as home care, elder care, childcare, or services to persons with disabilities. A social income need not be restricted to the poor. For purposes of cultivating new forms of social service, the provision of a social income could be designed to include also higher income strata and adjusted to income levels. This approach would also remove any stigma associated with the program.

A social income for human services opens up a number of opportunities for increasing the capacity of Ecuador's social economy to create the institutions that can deliver human services as a common good and also to establish an initial framework for a partnership between government and social economy organizations for jointly designing and producing these services. A number of institutional resources would be required for this approach to succeed:

- a) There need to be social economy organizations with the skill, capacity, and resources to provide such services;

- b) There needs to be a clear constituency of potential service users that would be prepared to participate in the development of such a model with prospective service providers;
- c) There needs to be a long-term education and training program to support both service providers and users in the design and development of this system;
- d) There needs to be a strong community of interest where this model might be piloted, including the involvement of local government authorities, social economy organizations, key community stakeholders, and prospective users.

The means by which a social currency might be used for the production and support of civil controlled social goods and services is outlined in the paper “Public Policy for a Social economy”.<sup>17</sup>

## 4.3 Democratization of the Economy and Restructuring the Productive Matrix

### 4.3.1 Economic and Sector Development

The democratization of the broader commercial economy is of fundamental importance to the evolution of a Partner State. This principle is cited as a key aim both of the National Plan and in numerous policy documents. But if an economy is truly to serve the common good, its driving values, its rewards and punishments, must reinforce the values and aims of civil society as a whole. For this reason, the economy as a whole must be socialized and humanized. By this, we mean the support and expansion of those forms of enterprise and economic relations that utilize the market for the pursuit of social objectives. This includes all types of co-operatives, social enterprises, and private companies that aim at social utility – not merely the pursuit of profit. In sum, it means the expansion of enterprises in which capital is under social control.

Presently, markets are treated as if they are the preserve of private, for-profit, capitalist firms. One outcome is that the space that is available for other forms of enterprise is increasingly reduced as more of the market comes to be dominated or monopolized by large corporate interests. By contrast, the Partner State fosters an economy whose institutions support and reward plurality, co-operation, sharing, social benefit, and *open access* to the market.

As an enabler of civic forms of economic development, the Partner State has a crucial role to play in the formation of economic policy that supports the growth of enterprises that promote social value, environmental sustainability, equity, and economic wellbeing. Central to this is the use of participatory planning and localized co-operative systems to support the emergence and operation of micro, small and medium sized enterprises (MSMEs) in strategic sectors of the economy.

The Partner State seeks to develop policies that align economic development with the expansion of economic opportunity for all kinds of enterprises. Priority is placed on those enterprises that contribute to local and regional development through the growth and diversification of productive capacity that is rooted to community. Economic policy is thus geared to the strengthening of local economies that can maximize economic opportunity for individuals and micro, small, and medium enterprises, whether privately or collectively owned, which are at the foundation of Ecuador’s economy.

Today, MSMEs comprise a significant portion of Ecuador’s GDP and account for a high per cent of employment, predominantly in the sectors of small-scale agriculture, forestry, fishing, construction, artisan/craft production, and services.<sup>18</sup> These enterprises constitute the seedbed

<sup>17</sup> John Restakis, Public Policy for a Social economy, FLOK, March 2014

<sup>18</sup> Estrategia para el Cambio de la Matriz Productiva, SENPLADES, 2013

from which local economies are grown; they are the basis for a localized generation and circulation of wealth.

For this reason, Ecuador's policies for transforming the productive matrix, including the democratization of land ownership and use, place a top priority on developing this vital component of the national economy. As stated in the policy documents produced by the Inter Institutional Committee for Transforming the Productive Matrix (2013),

The micro, small and medium enterprises have a strategic importance in the growth of the economy, for the transformation of the local production system, and the best competitive position for the country. In addition, these business segments contribute to reducing poverty and inequality..."

The aim is that MSMEs have priority treatment at all stages, from initiatives to improve productivity, quality, and marketing to those that promote strategic and rewarding participation in domestic and international markets."<sup>19</sup>

In the promotion of these aims, the government has initiated a very thorough analysis of the productive capacities of each of Ecuador's 23 regions, itemizing and analyzing the operations of MSMEs as well as private and public actors in each region, identifying the relative importance of specific economic sectors, and identifying the relative strengths and challenges of the productive systems in each territory. Throughout, the documents stress the central importance of collaboration among economic actors, the sharing of research and innovation, and the creation of institutions that facilitate economic and social solidarity in the region.

With respect to MSMEs, a number of general policies are proposed to advance this vision:

1. Facilitating and managing the interaction of the actors in different productive chains;
2. Supporting the participation of rural farmers in public procurement systems;
3. Establishing a program of continuous innovation tailored to the particularities of the region;
4. Creating preferential credit programs of public banks and strengthen microfinance institutions and co-operatives; and
5. Promoting entrepreneurship.<sup>20</sup>

This focus on economic democratization through the support of local small and medium enterprises, as well as the promotion of representative Regional Councils in the development process, are key aspects of a Partner State approach. As enabling agent, the Partner State develops policies and resources that provide a supportive framework for this kind of development. A number of elements are essential to this. They include:

- The expansion of social/solidarity economy values throughout the economy through the promotion of co-operative and commons-based models of enterprise;
- The development of co-operative networks that encourage collaboration and the promotion of collective interests and a regional perspective among individual enterprises;
- The creation of institutions that enable joint planning between local enterprises and government;
- The identification of strategic sectors and the development of regional policies that understand and address sectoral strengths and weaknesses for the long-term;

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<sup>19</sup> Agendas para la Transformación Productiva Territorial: Provincia de Bolívar, 2013

<sup>20</sup> Agendas Para La Transformación Productiva Territorial, Ministerio de Coordinación de la Producción, Empleo y Competitividad, 2011

- The development of localized service centres – controlled by the enterprises that use them – that are capable of providing specialized, shared services to enterprises operating in specific sectors;
- The creation of localized institutions that support the capitalization of enterprise;
- The creation of entrepreneurial networks that are capable of accessing and utilizing knowledge to advance enterprise development, to promote innovation, and to transform production through the sharing of information and technology (ICTs);
- The provision of incentives for co-operation among sector enterprises for the promotion of shared production systems, the sharing of knowledge, research and technology, and the sharing of enterprise supports such as marketing, training, financing, accounting, bookkeeping, and ICT use;
- The identification of research & development knowledge from the academy for practical adaptation and application to the advancement of individual enterprises and material production through the involvement of academic institutions;
- The linkage of open knowledge systems to new forms of production that can adapt technology to the concrete needs of local enterprises, including the adoption of open source technology;

A number of these policies have already been articulated by the government as have the activities described, particularly the analysis of the MSME economy. Indeed, most of these proposals are now accepted as standard policy for strengthening the performance and resilience of small firm economies. However, the vital question remains... *How are these policies to be realized in practice so that the institutions that are vital to their success reflect the principles of a Partner State?*

While the policy recommendations advancing the vision of Buen Vivir are comprehensive, three issues stand out:

- a) Almost all of the policies described appear to be managed primarily by the State;
- b) There appears to be little practical consideration of the structure, design, and operation of the institutions and organizations that are to realize these policies;
- c) There appears to be no clear strategy for developing the necessary human, professional, and managerial skills to sustain and manage such a policy.

As has been stressed throughout this discussion, it is of paramount importance that these institutions reflect and foster the aims and principles of both Buen Vivir and The Partner State.

What follows is an outline of specific models and measures that address these questions from the perspective of the Partner State and its relation to Social Infrastructure and Social Innovation.

### 4.3.2 Sector Development

Perhaps the most effective means of implementing a Partner State approach to economic development is to focus on sector development and the creation of partnering institutions at provincial, canton, and parochial levels. This allows for a concentrated focus on strategic areas of economic activity and on the mobilization of partnerships and resources at those levels of governance that are most appropriate for the implementation of policy. This approach also has the advantage of activating the governance structures and giving effect to the democratization and decentralization of decision-making and economic planning mandated by the National Plan.

The first step in sector development using a Partner State approach is to establish a partnering agency that has the capacity to undertake a detailed sector analysis of Ecuador's economy. The purpose of this development agency is to analyze the operations of Ecuador's key economic

sectors; to forecast the role these sectors should play in the evolution of Ecuador's economic future; to diagnose the strengths and weaknesses of each sector in the context of both a regional and a global marketplace; to diagnose the evolving trade, technological, and regulatory dynamics currently underway; and to identify those sectors that are most strategic for the transition to a social knowledge economy and an economy that promotes resilience, sustainability, equity, and the aims of *Buen Vivir*.

As mentioned above, much of this analytical work has already been conducted under the auspices of SENPLADES and its partnering agencies in government. What is still unclear however, is where this overall development role should reside. A key point that is raised in the policy documents is the need to co-ordinate and rationalize the functions of the many organizations that have been mandated to play a development role.

Needless to say, this development agency would be designed as a vehicle for the inclusion of both government and non-government stakeholders in the formation of strategic planning that relates regional development to global realities and provides a counterweight of regional and small-scale entrepreneurial interests to those interests that form the current power status quo. Included in the governance of this agency should be micro, small and medium sized business interests; organized labour; the co-operative and social enterprise sector; the credit union sector; and key academic institutions. This institution would play a role similar to the agency proposed for the social/solidarity economy and for the democratization of social goods and services.

As with the co-construction of social goods and services, the second element in the development of a sector-based economic policy is the creation of specialized service centres that can promote the development of strategic sectors by assisting micro, small, and medium firms to succeed through the provision of shared services; the development of co-operative production networks; the promotion of shared use of technology, research, and equipment; and the utilization of open knowledge systems for collective economic benefit in the region.

These centres would form the organizational infrastructure that facilitates the utilization of open knowledge and open source technology for greatest effect in the sectors they are intended to serve. The overall direction and control of these centres must rest primarily in the hands of those enterprises that use their services along with representation of other regional and sectoral stakeholders such as government, universities, and local financial institutions such as credit unions. The sectoral centres should also be closely linked to the strategic planning role played by the national economic development agency and SENPLADES.

#### 4.3.3 Case Study – Emilia Romagna

Emilia Romagna is a region of four million people in the north of Italy. It is one of the best examples of how a government can employ co-operative and commons-based principles as part of a Partner State approach for both economic and social development.

The co-operative economic system in Emilia Romagna has achieved an internal coherence and integration that is unique. Over 8,000 co-operatives account for almost 1/3 of the region's GDP which is the highest per capita in Italy.<sup>21</sup> This is Italy's largest exporting region, accounting for thirteen percent of the country's total.<sup>22</sup> But this wasn't always the case. In the 1950's this was one of Italy's poorest regions. Its economy was based on small-scale agricultural production, machine production, and traditional crafts. It was, in some ways, an economy similar to that of

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<sup>21</sup> J. Restakis, Chapter Four, *Humanizing the Economy – Co-operatives in the Age of Capital*, 2010

<sup>22</sup> A. Bardi and S. Bertini, *Dinamiche territoriali e nuova industria Dai distretti alle filiere*, 2005

Ecuador today (minus Ecuador's access to mineral resources). Today, Emilia Romagna is among Europe's top ten performing economic regions. How was this accomplished?

The systems and ideas that sustain this regional system are a result of carefully pursued legal, constitutional, and political choices. These choices were aimed at developing a mixed form of economy that paid equal attention to co-operative and collective forms of enterprise as to private and capitalist firms.

Over a period of 30 years commencing with the formation of regional governments in 1971, Emilia Romagna's regional government blended the strengths of the co-op system with the power of government to create a co-operative economic model that extends beyond co-operatives to the economy as a whole. This approach has had a profound impact on the region's relative income equality, its high wage levels, its plurality of enterprises (both in type and in size), and its inclusive labour market.<sup>23</sup> There are now more than 100,000 small and medium sized firms in the territory – approximately one for every ten residents. The largest of these are co-operatives.

The most distinctive feature of Emilia Romagna's industrial paradigm is the emergence of what has since become a key strategy for the successful development of a small firm economy – the clustering of small firms in industrial districts. Industrial clusters were perfected in this region and an extensive literature has been devoted to what has since come to be known as the Emilian Model. And although the model has undergone significant changes since its discovery in the early '70s, the pattern of industrial development that it represents is a unique instance of successful co-operation in a capitalist framework.

The co-operation of small firms in industrial clusters is the reason why the firms of the region have continued to thrive despite all expectation and contrary to mainstream theories concerning industrial development in a global economy. The Emilian Model shows how firms can remain small and still compete in a global marketplace. Despite the economic crisis, this model of inter-firm co-operation has consistently outperformed all other regions in Italy.<sup>24</sup>

Initially, the region's agricultural economy gave rise to the specialized industries that emerged as an extension of the needs of agriculture. The processing and packaging of food products gave rise to the design of specialized machinery that is still the singular expertise of the area. Machine production for agriculture then evolved to respond to the unique requirements of a whole host of industries, from ceramics and textiles, to surgical equipment and high performance cars. In this sense, the agricultural roots of the modern industrial districts may serve as models for the evolution of similar developments from the agricultural economies of Ecuador, and other Latin American countries.

Eventually, over a hundred industrial districts bloomed in Emilia Romagna, each one composed of highly specialized firms clustered around a town or region that produced a characteristic product for export to the rest of Italy and abroad. The firms have traditionally been small - between five and fifty employees, the quality of the products are among world's finest, and the target markets are global. How then, given the challenges of diseconomies of scale, fierce global competition, market intelligence and access, capitalization, co-ordination, product distribution, could small firms such as these survive - even thrive - in a global market?

The production model of the industrial districts depended on the willingness of local entrepreneurs to co-operate while remaining competitors. It rested also on the involvement of the regional government in understanding the strengths and weaknesses of this system and devising

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<sup>23</sup> Emilia Romagna has the highest percentage of women in the labour force in Italy.

<sup>24</sup> See J. Restakis, *Humanizing the Economy - Co-operatives in the Age of Capital*, Chapter Four: Socializing Capital - The Emilian Model, 2010



strategies, in partnership with the stakeholders, to allow the system to adapt to internal and external threats. The third crucial factor was the rise of highly flexible digital technology that was amenable to small-scale, specialized production systems as opposed to the highly centralized-capital intensive industrial technologies of Fordist mass-production. The new technology allowed small firms to specialize, to innovate, and to create new economies of scale through collaboration with other firms in shared production systems.

A key to this approach was in understanding that industrial districts are organic economic forms. They are not static, they evolve, and their strength lies in their ability to adapt to the changing needs of their constituent enterprises and to the shifting dynamics of markets and economic forces beyond their control. How this comes about is a combination of political vision, the skillful management of competing interests, and the possibilities that are latent in the social relations fostered by a culture of co-operation – the region’s social capital.

The role of the regional government in this process was central.

#### **4.3.4 ERVET and the Real Service Centres**

One of the first tasks of the regional government was to create a mechanism through which the regional economy as a whole could be understood, its strengths and weaknesses diagnosed, and a program of development established. It created ERVET, the economic planning and development agency that had a lasting impact on the development of the region’s strategic sectors.

ERVET was a public/private agency that was funded and directed by a partnership between the regional government and its key allies among business, labour, and academic institutions. It undertook a careful analysis of the regions’ key economic sectors, diagnosed the particular strengths and weaknesses of the firms comprising these sectors, and established a series of what were called “real service centres” to provide strategic assistance to the firms and the industrial districts of which they were a part.

While the particular services provided by each service centre were tailored to the needs of the sector in which they operated – ceramics, agricultural machinery, footwear, clothing, etc. – the overall strategy was the same: to increase the productive capacity and competence of individual firms and to ensure that the linkages between firms in the industrial districts remained strong and were further mobilized to strengthen the system as a whole.

Some of these service centres (ASTER, Democentre) were engaged exclusively in research, training, and technology transfer. The service centres were structured on a co-operative model – they were funded through a mix of ERVET funds and member fees and directed by elected representatives of the firms that used their services. This ensured that the centres’ services would correspond to the real needs of the firms. The co-operative nature of these networks were a key reason why SMEs were able to access the research, training, and knowledge that were central to creating the innovations that were indispensable to the success and survival of these enterprises.

The programs and services of ERVET and the centres reinforced the co-operative bonds between firms and within the industrial districts. Research funds for product development or the development of new technology were granted only to groups of firms that had agreed to work together. In Carpi, the service center CITER developed an online database for its members that contained thousands of fashion designs, colour combinations and textile patterns that cut to a fraction the time involved in assembling a design prototype. The centre sent agents to the world’s top fashion shows and twice a year produced a compendium of upcoming styles so that the Carpi firms could prepare and design their products accordingly. These were services that exceeded the capacity of any one firm in the region. With CITER’s aid they were able to compete on a global

field. Over the course of the next twenty years, ERVET and the service centres became a major institutional force behind the rapid rise in the region's economic performance.<sup>25</sup>

The use of ERVET as a think tank and diagnostic development agency illustrates the willingness of the regional government to act as a mediating and mobilizing force among the various interests in the region. It was a system that drew on the best attributes of co-operation on the one hand and competition on the other. Co-operation enabled small firms to take on large contracts and achieve economies of scale and scope through networking that were ordinarily available only to large corporations.

The patterns of co-operation extended far beyond industrial production to address basic issues such as capital investment, applied research and product development, the gathering of market intelligence, export support, and technology transfer. On the question of capital investment for example, firms would organize credit co-operatives. These groups, or *consorzi*, would then take responsibility for the loans taken out by their members, operating much as a loan circle for small firms.

Adapted to the credit needs of Emilian firms, *consortio* loans are provided at very low rates by co-operative banks, many of which were first established as a source of credit for farmers. So successful are these consortia, and the default rates so low, that the large national banks have been trying to break into this market for years, but with little success. The smaller regional banks provide for almost all of the region's capital needs.

These and similar policies are already highlighted in the ideas and proposals promoted in Ecuador's National Plan and numerous policy documents. There is a strong affinity between Ecuador's social and economic aims and what Emilia Romagna has been able to achieve, and both cases rely on elements that are central to the idea of a Partner State.

What Emilia Romagna provides is a structural and organizational framework within which these aims and policies can be realized concretely. This framework entails the principles of co-operation, plurality, a regional perspective, and de-centralized power sharing that are attributes of the Partner State. They give institutional power and focus to a kind of development that serves the needs and aspirations of a wide range of actors including existing MSMEs; the communities in which they operate; the civic and professional associations of civil society including co-ops, trade unions, and business associations; and all are geared toward serving the collective needs of the region.

Undoubtedly, Italy is not Ecuador and the economic, social, and political antecedents that gave rise to the Emilian Model are very different from the experience of Ecuador, which is still in the process of liberating itself from a harsh colonial heritage. However, the lessons of co-operation as an instrument of regional development and of small firm empowerment are even more relevant in the case of countries like Ecuador where economic inequities and the domination of established power structures are even more adverse to the interests and prospects of small and medium firms.

In these contexts, co-operation among MSMEs at a regional level is even more of an imperative if they are to develop and contribute significantly to a new, more pluralistic, productive matrix. And, just as the new digital technology of the 1970s and 80s give impetus to the specializations and innovations of Emilia Romagna's small firms, the open source technology and commons-

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<sup>25</sup> Today, ERVET is involved only with the research centres ASTER and Democentre. The service centres have been wholly privatized and are operated by the firms in the given sectors.

based knowledge systems of today provide a means for Ecuador's small firms to similarly adapt emergent technology to the particular conditions of MSMEs in Ecuador.

Today's Internet makes possible the adaptation of farm machinery to local needs through open source designs that can be shared at minimal cost. Open source technology provides a means for small farmers to access information online that greatly enhances their capacity to improve production by adjusting their practices to the particularities of crops, soils, and climates. New avenues for global marketing of local products are available, as is the integration of products into fair trade distribution networks that are meant to support the kinds of locally controlled production models described above.

Most important of all are the examples of successful development strategies that can benefit both private and collective forms of ownership through the use of co-operative systems. Just as these systems have proven successful in regions like Emilia Romagna and the industrial districts of Germany, France and the US, so too have these models been adapted to serve the needs of regional economies in countries like Sri Lanka, Mexico, and Costa Rica. Here, the challenges of small scale, isolation, absence of secondary processing, inaccessible markets, and the control of product distribution by intermediaries are identical to the problems faced by small producers and entrepreneurs in Ecuador.

#### 4.4 Securing the Commons

The recognition, protection, and expansion of the society's commons are central features of The Partner State. What do we mean by the commons?

The commons refers to any resource whose use is freely accessible to a community of users and which in turn, is managed by them in common. A commons is not owned in the conventional sense. Rather, its value lies in the fact of its free and open access. It is the antithesis to enclosure of a resource for private benefit. Instead, a commons is based on the social ethics of interdependence and co-operation and the value of a commons is generated through the practice of sharing. Most importantly, a commons is the product of those social relationships that enable this use.

Traditionally commons have referred to such natural goods as water, fisheries, forests, pastures, etc. However, the concept has been broadened to include also non-material common resources such as knowledge, culture, free software, and the Internet. These same qualities of open access, sharing, and collective management by the users are common to all of them. The commons then, are a manifestation of those same values of reciprocity, mutuality, and social benefit that underlie the operations of civil society and the social/solidarity economy.

Historically, the commons may be seen as the material and economic foundations that helped sustain collective forms of living. They were, and remain, both the product and the indispensable support of those social relations that bind people to each other and to their environment. The idea of the commons is thus central to the aims of Buen Vivir and is also intimately linked to the constitutional protections afforded to nature by the Montecristi Constitution. These protections are deeply linked to the protection and promotion of the commons and to the notion of subsidiarity that grants local territories and indigenous peoples the constitutional right to participate in the decisions affecting the development of their territory and the enjoyment of their traditional ways of living. Protection of the material commons, especially natural resources, is intimately connected to the establishment of a plurinational polity.

The notion of collective rights is inseparable from the idea of the commons and of the common good. Collective rights are those individual rights that belong to the individual as a member of a community. The individual has the enjoyment of these rights as protected by law – but only as a member of the community. It is the community as a whole that embodies these rights and exercises them through the agency of each individual member. The collective enjoyment of these rights is linked to the notion of use, and in particular to the concept of civic use as opposed to merely free use or public use. It is the concept of “civic use” that is most amenable to the regulation of common goods as “things instrumental to the realization of the development of the person”, a central concept of Buen Vivir. More specifically, common goods refer to those things that may be used by anyone belonging to the community that has use rights over a commons.

Enclosure and commodification of the commons undermine the material basis for collective forms of living and of the social relationships that in turn, reproduce those forms. They are an irreplaceable resource for re-generating a society’s store of social capital, for validating and manifesting the idea of social solidarity, and for anchoring both the values and the operations of civil society. As such, the protection and expansion of the commons must be a basic aim both of civil society and of any government that wishes to promote the social aims envisaged in Ecuador’s National Plan.

#### 4.4.1 Common versus Public

The commons however, should be distinguished from public goods or public property.<sup>26</sup> While both contain the ideas of non-exclusion and social value, public goods are not controlled or managed by their users – public goods and public institutions are controlled by the State. For this reason they may also be privatized by the State, commodified, and sold for profit. Today, the enclosure and commodification of public goods by governments and capital constitute the greatest encroachments against social wealth in the world.

The evolution of the relationship between States and capital, between public and private property, has led to a condition in which privatization and statism now endanger the very survival of the commons as an indispensable resource for the satisfaction of basic human needs. In this we include such essential life supports as access to water, the sharing of seeds for agricultural production, and clean air. But it is now clear that conventional models of democratic governance, conceived as government acting *on behalf* of citizens, are no longer capable of protecting and preserving the public interest and what remains of the commons along with it. What is required is a wholly new relationship in which formal political authority legitimizes its operations in a given territory through the direct involvement of local communities in governance.

The protection of the commons requires a framework which formalizes the *civil* and *communitarian* attributes of commons and which tie them inalienably to their users and to the territory as a shared collective resource. This means the enactment of legal protections for their preservation and the pursuit of public policies for their expansion. Above all, it means the recognition by the State of a distinct and inalienable space of *commons wealth* that can neither be appropriated nor purchased. It is a uniquely civil space that is protected by legislation which recognizes this distinctive civil – as opposed to political – quality of the commons. One of its primary features is the recognition of users’ control rights over its management.

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<sup>26</sup> A further distinction between commons and public goods is that while both entail uses that are non-excludable, common goods are rival while public goods are non-rival. In the first case, the use of the commons by one individual has an effect on the use of that commons by others, as in the case of a common fishery. In the case of public, non-rival goods such as a public park, the enjoyment of the park by one person does not impede equal enjoyment of the park by another.

A current example of this kind of legislation – focused on urban commons – is to be found in the city of Bologna, which has become the first Commons City in Europe.

#### 4.4.2 Legislation for the Commons

The salient characteristic of this new relationship between the City and its citizens is collaborative governance on the principle of horizontal subsidiarity. Horizontal subsidiarity requires all levels of governments to find ways to share their powers and co-operate with single or associated citizens willing to exercise their constitutional right to carry out activities of general interest. And, as opposed to conventional subsidiarity, which is vertical and hierarchical, horizontal subsidiarity stresses choices that are made collaboratively by social actors and government at the level at which an action is to be carried out. The management of commons is central in this respect. In this model, public administrations shall no longer govern only *on behalf* of citizens, but also *together with* citizens, acknowledging that citizens represent a “powerful and reliable ally capable of unleashing a great source of energy, talents, resources, capabilities and ideas that may be mobilized to improve the quality of life of a community or help contribute to its survival.”<sup>27</sup>

The Cities as Commons project started in June 2012 in Bologna thanks to the support of Fondazione del Monte di Bologna and Ravenna and the technical support provided by the Laboratory for Subsidiarity – Labsus – in Rome.<sup>28</sup> Over the last ten years, Labsus has collected and analyzed cases of collaborative governance with the aim of demonstrating how a new model of government could be used to realize these aims. The project applied an empirical approach and, after a training program with City officials and local civic leaders, facilitated the birth of partnerships between the City and local residents with regards to the management of three urban commons – a public square, a section of the city’s famous “portici”, and a public building.

The draft of the regulation that was adopted was then subjected to public consultation and reviewed by some of the most prominent Italian scholars of administrative law. A Spanish translation of the regulation is included in Appendix 1.

##### Key Features of the Regulation

The Regulation on Co-operation Between Citizens and Government on the Care and Regeneration of Urban Commons is a framework for the joint care and management of urban commons. As stated in the Document,

*“This Regulation, in harmony with the provisions of the Constitution and the Statute of the municipal governing the forms of co-operation between citizens and the administration for the treatment and regeneration of urban public goods, in particular giving effect to art. 118, 114, and paragraphs 2, 6 and 117 of the Constitution.*

The underlying principles of the regulation include the following:

1. Recognition of commons as essential to the generation of individual and collective well-being;
2. Mutual Trust between the municipality and the civil groups engaged in commons work;
3. Autonomy of citizens to engage and organize in the pursuit of commons aims;
4. Flexibility and informality of arrangements and agreements for the co-management of commons;

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<sup>27</sup> <http://www.labsus.org>

<sup>28</sup> <http://www.labsus.org>

5. Identification and allocation of public assets as resources for collective life and enjoyment;
6. Openness, Accountability, and Transparency in the co-management of commons;
7. Promotion of social economy organizations as a priority for the production and preservation of commons goods and services.

The regulation refers to the care and stewardship of a broad range of public assets and services that fall under its jurisdiction. These are described as including,

*Assets of urban municipalities and tangible, intangible and digital property that the citizens and the Administration recognize as instrumental for realizing individual and collective wellbeing and ... to share with the administration the responsibility of their care or regeneration in order to improve the collective enjoyment.*”<sup>29</sup>

The regulation also promotes the creation of a range of social economy organizations for implementing this work.

*The municipality pursues the objectives referred to in this article encouraging the creation of co-operatives, social enterprises, start-ups in social vocation and the development of economic, cultural and social activities and projects.*<sup>30</sup>

A key provision of this regulation is the requirement for local authorities to designate municipally-owned assets as resources to be used for the realization of these aims.

*Spaces and buildings referred to in this regulation constitute a resource functional to the achievement of the purposes referred to in this article. The City reserves a portion of these assets to projects that foster social innovation or the production of collaborative services.*<sup>31</sup>

All citizens, whether acting as individuals or as members of associations, have the right to participate and contribute to this work of caring for the commons.<sup>32</sup> The regulation describes the procedures and standards required for the implementation of a joint citizen/government initiative. These are intended to be enabling as opposed to prescriptive. Importantly, the regulation promotes informality in the arrangements between participating stakeholders and requires formal, legal agreements only when required by law.

*“... the Administration requires that the relationship with citizens is subject to specific formalities only when that provided by the law. In the remaining cases ensures flexibility and simplicity in the report, as long as it is possible to ensure compliance with public ethics, as well as declined the code of conduct for civil servants and the principles of fairness, good performance, transparency and certainty.”*<sup>33</sup>

In the context of Ecuador, such an approach may prove effective in limiting the unnecessary bureaucratization of such efforts, something that is in urgent need of modeling in the country.

One additional point may be noted with respect to the regulation. The notion of the commons is extended to the management of immaterial common goods and the promotion of digital innovation as a component of commons co-management.

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<sup>29</sup> Regulation on Co-operation between Citizens and Administration for the Care and Regeneration of Urban Commons, Art. 2, (a)

<sup>30</sup> *ibid*, Art. 6, (3)

<sup>31</sup> *ibid*, Art. 6, (4)

<sup>32</sup> Note: there are also provisions concerning the exclusion of individuals that act in contravention to the common good or to the public or private ownership of an asset, Art. 12 (3)

<sup>33</sup> *ibid*, Art. 2, (h)

This is an important feature that links the co-management of the commons to the concepts of open technology and the promotion of open government as discussed in the paper “Civil Society, Open Government and ICT”,<sup>34</sup> and also to the broader aims of a social knowledge economy.

*The Municipality encourages innovation through digital interventions participation in the conception, design and implementation of services and applications for the civic network by the community, with particular attention to the use of open data and infrastructures, in perspective of digital commons.*<sup>35</sup>

In aid of this objective, the City of Bologna has also provided material support for the creation of Iperbole – a Civic Network that promotes telemedia as an “instrument of electronic democracy and socio-economic development of the territory”<sup>36</sup> and the mobilization and engagement of citizens for the care, restoration, and expansion of the commons.

*To this end, the City agrees with the parties that participate in civic life and the evolution of the network and provide the collaborative environment and civic skills for the co-design and realization of innovative services, data, spaces, infrastructure and digital platforms, such as the medium of the Civic Network.*<sup>37</sup>

Finally, the implementation of these collaborative projects entails the enactment of a co-operative covenant or pact between government and citizens. The co-operative pact describes the work to be done, the procedures to be followed, the monitoring and evaluation of the results, and the resources, guarantees, and responsibilities involved. And it is interesting to note that both the idea of the co-operative pact and its form have been strongly influenced by the civic agreements signed by local authorities with social co-ops for the provision of health, education, and social services commissioned by the municipalities.

The regulation adopted by Bologna provides a concrete and comprehensive framework for implementing a project for the co-management of public and common goods by a municipality and its citizens. Its aims and principles reflect many of the elements that are characteristic of how a Partner State might approach the protection and co-management of the commons in an urban context. But whereas the Bologna initiative has broken new ground with respect to the regeneration and care of urban commons, the principles involved may be adapted to the requirements of other forms of commons and at larger scales.

Combined with the idea of horizontal subsidiarity and of the constitutional rights of nature and of indigenous communities, a regulatory framework could be developed for the identification of such commons as waterways, forests, and natural resources for joint management with the peoples of the territories where these commons exist. A Partner State approach through a form of co-operative pact with the communities of these territories would give concrete effect to the decentralization of decision-making mandated by the Constitution and the National Plan. This approach would also secure the material basis for the expression of those social values of reciprocity, mutuality and the common good that are the basis for collective life in these territories.

But while the Bologna initiative has developed the regulatory framework for the co-management of urban commons, these municipal assets are still owned by the State and as such are public... not entirely common in the sense we have described. For this to be the case, the management of the common resource needs to be paired with legal protections that secure its use as a commons

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<sup>34</sup> Restakis, Araya, Calderón, FLOK Society, 2014 (unpublished paper)

<sup>35</sup> *ibid.* Art. 9, (1)

<sup>36</sup> <http://www.eurosur.org/epitelio/cuenca/encuentros/leda.htm>

<sup>37</sup> *ibid.*, Art. 9, (2)



in perpetuity. Such a commons, while legally protected and constituted for this use, may not be appropriated by the State as government or public property, nor be sold. For this to have effect, a form of collective and civil ownership must be devised.

Examples of these forms of commons ownership and governance, as well as the rules for their operation, have been well documented by Elinor Ostrom.<sup>38</sup> Successful examples of their use range from the co-operative management of Japan's fishery – the world's largest – to the co-operative management of waterways and irrigation systems by the indigenous farmers of Bali.<sup>39</sup>

In its Constitution and national aims, Ecuador has already travelled a great distance in the direction of empowering its citizens to take an active role in the development of the territories in which they live. It has enshrined the principles of decentralization and local decision-making; it has mandated all levels of government to promote the development of goods and services through procurement policies that give priority to groups in the social/solidarity economy; and it has advocated the pursuit of social knowledge and the commons as a foundation for the transformation of the country's productive matrix. The development of a true Partner State would now require the formulation of a legislative and regulatory national framework that would entrench the commons, in all their forms, as a true national patrimony beyond the reach of those interests that would seek to enclose them for private or political gain.

To this end, we propose the following policy recommendations:

1. That a comprehensive mapping of existing natural resource commons be carried out;
2. That comprehensive legislation be introduced to secure and protect the commons as a national patrimony and tied to the territories where commons are utilized;
3. That specific policy frameworks be established for the co-management of urban commons by local municipalities and the citizenry;
4. That social economy organizations be recognized as the most appropriate form for citizen management of commons and that the Organic Law for the Popular and Solidarity Economy (LOEPS) be revised to allow for the creation of both community service co-operatives (social/solidarity co-ops) and multi-stakeholder co-operatives as social instruments for the management of commons.<sup>40</sup>

The inclusion of natural resources as national commons to be gradually co-managed by the State and local communities constitutes an entirely new approach to resource development and would powerfully transform the country's productive matrix in the direction of Buen Vivir. The commonification of resources, like the democratization of public services and the broader economy, are powerful catalysts for the evolution of a civic culture that has the collective values, the social capital, and the enabling institutions that would allow civil society to play the role envisaged for it by the framers of the country's Constitution and the Citizen's Revolution that was its source and inspiration.

## 5. Cultural Factors

It is important to note that a transition to this type of development is contingent on existing patterns of production and the cultural attitudes that drive economic behaviour. The most important of these is the presence or absence of high levels of social capital and a predisposition

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<sup>38</sup> E. Ostrom, *Governing the Commons, The Evolution of Institutions for Collective Action*, 1990

<sup>39</sup> B. Arifin, *Indigenous Knowledge and Sustainable Commons: The case of an Indonesian Subak*, 2005

<sup>40</sup> See J. Restakis, *Public Policy for the Social Economy*, FLOK Society, IAEN, 2014, and *Social Knowledge and the Social Economy*, FLOK Society, IAEN, 2014



among people to work together to realize mutual aims. Where these social values and attitudes are strong, and where co-operative institutions already exist, the collaborative approach to economic development has a far higher chance of changing the productive matrix through the use of social knowledge as a resource for economic and social development. Where social capital is weak, a key strategy for promoting such a development model is the creation of production systems that foster habits of economic collaboration and that are oriented toward common benefit.

Unlike conventional capitalist models which serve to undermine and deplete social capital, co-operative and peer-to-peer models depend upon social capital as a necessary condition of their operations.<sup>41</sup> Co-operation reinforces and cultivates further co-operation. Co-operative systems replenish social capital and the attitudes and skills that promote sharing. A successful social knowledge economy is thus very much a co-operative economy.

This point needs to be emphasized as it is central to creating the social and cultural conditions that can sustain an economic model based on sharing and commons-based values that are the foundation of a social knowledge economy. These questions of cultural attitudes and the means of transforming them are insufficiently treated in proposals for economic development, yet they are central to the process of social and economic transformation.

It is for this reason that the adoption and promotion of particular modes of production, of ownership, of relationships among economic agents, and of institutional links between government and the stakeholders of both the private and social economies are so important.

The other issue that needs to be highlighted is the question of how popular expectations and perceptions of the State help or hinder citizen participation. As acknowledged in the National Plan,

*Enormous progress has been made in citizen participation. However, the challenge lies in changing the attitudes of citizens, which are still persistently passive. This culture of a citizenry passively dependent on State guardianship must be limited.*

...

*This qualitative leap forward, from citizens wishing for rights to citizens exercising their rights, is a break away from the power of the market, as well as the domination and accumulation incrustated into social structures. Constructing an active, committed, and thoughtful citizenry demands a more profound institutional reform of the State, so citizen participation can influence public governance. It also requires creating the conditions and capacities necessary to promote, sustain and assure citizen-led processes to promote Good Living, and to institutionalize a constructive dialogue that generates egalitarian, solidary, free, dignified, and responsible actions, in harmony with Nature and respectful of the world-views that comprise our pluri-national State.<sup>42</sup>*

The kinds of organizational forms that are cultivated by the State are important in determining how citizens come to acquire the skills and attitudes that enable them to play the roles demanded of them by Ecuador's vision of Good Living. This means a very particular outlook on the part of political leaders and decision makers in government. As in the case of Emilia Romagna, the conscious choice of the regional government to facilitate the emergence of co-operative systems, whether in the commercial or the social economy, added real impetus to the expansion of these values and to the skills, knowledge, and capacities of the citizenry to exercise them. The social co-operatives in Italy, which transformed the social welfare system, were initiated from within the social economy. But their growth and success would not have been possible without the role

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<sup>41</sup> *ibid*, Art. 2 (h)

<sup>42</sup> National Plan for Good Living, p. 29

played by the state. The same is true of the solidarity co-ops and a great number of social enterprises in Quebec.

The form of an organization will determine both its manner of operation and the behavioural habits, attitudes, and expectations of those who work in it. Just as private forms of capitalist enterprise will reinforce the habits and values of self-interest and capital accumulation for private ends, so do co-operative and peer-to-peer forms of enterprise promote collective values and the ability to view economics as a means to advance individual interests through co-operation with others – whether they are individuals or other enterprises. The conscious promotion of all forms of co-operation among citizens and businesses – whether they are privately or co-operatively owned – is thus central to the operations of a Partner State and a social knowledge economy.

One means of promoting this type of co-operation among groups is by ensuring that funds for development are available only to groups of enterprises that are working together, as opposed to individual firms. This is true also for the promotion of co-operation within the social/solidarity economy and among social economy organizations.

Also indispensable for the transformation of cultural attitudes in this direction, both inside government and in the broader social/solidarity economy, is the development of the human and organizational capacities among citizens that are essential for the development and operation of these types of organizations.

## 6. Institutional Obstacles

Chief among the potential obstacles to the successful implementation of these policies are the existing bureaucratic structures of the State. While there is strong formal recognition of the principles and aims relating to *Buen Vivir* and the role of the Popular and Solidarity Economy, there also exists a high degree of complexity and lack of co-ordination among the various institutions that have been mandated to carry out the policies and programs of the National Plan for Good Living.<sup>43</sup>

Moreover, a common weakness of these institutions, from the perspective of the Partner State, is the minor role assigned to non-governmental stakeholders in their operation. They are, for the most part, State-controlled organisms ill suited to sharing power with the institutions and actors either of civil society or the broader economy. And, despite the good intentions of their founders, these institutions have added to the size, complexity, lack of transparency, and immobility of the State bureaucracy as a whole.

The transformation of these structures into partnering and enabling institutions with meaningful inclusion of civil groups is an essential undertaking for transition to a Partner State model. This entails a comprehensive training and human development strategy that provides decision makers and civil service workers with the concepts, skills, experiences, and attitudes that are fundamental for implementing an entirely new conception of inclusive governance and socio-economic development.

On a practical level, as the social economy has expanded over the past thirty years and the limitations of state structures operating in isolation have become evident, there have been a range of experiments to create a more harmonious interface between State and social economy. They include:

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<sup>43</sup> Examples include: PPS (MIES), IEPS (MIES), the Interagency Committee of State Ministers, IADC, and the overlapping mandates of SENPLEDES, MIES, and the Ministry of Social Development Co-ordination

- i) In-out teams, working in the State and comprising those from the social/solidarity economy and the state;
- ii) Placements across the boundaries, of civil economy activists within the State, and State officials in the social economy;
- iii) Social innovation labs, either within the State, or in collaboration with people from both economies;
- iv) Common formation (for example through social innovation courses/degrees);
- v) Generative rather than transactional contracts between the State and social economy organizations for civil economic ventures undertaking public services;
- vi) Distributed procurement practices linked to civil consortia, and the development of a procurement culture centered around social innovation and the development of quality services by the civil ventures (Cleveland's Evergreen program is an outstanding example);<sup>44</sup>
- vii) The development of service metrics for the public/civil ventures, that can also be used as data for public accountability;
- viii) Open books for civil ventures undertaking public services;
- ix) The joint mobilization of knowledge from within the State and the civil ventures around particular projects;
- x) Actions to co-operatize the State itself, with a shift to more lateral, team-based organization, and the involvement of front line workers (along with civil consumers) in the co-design and co-production of public services (the case of IT innovation in Newcastle (UK) is a striking case in point which developed as an alternative to privatization).
- xi) Actions to democratize the wider economy through the development and promotion of collective and co-operative ownership models of production.

These actions reflect particular ways in which the two cultures might find common cause by combining the unique strengths of each in re-framing the production of public goods in a way that recognizes and reinforces the central role of citizens and their communities as the primary actors in making real the aims and aspirations of Buen Vivir.

The second issue that critically needs to be addressed for the transition process described above is the formation of those values, attitudes, and skills that can translate ideals into effective and transformative practice in the real world.

### 6.1 The Co-operative University

One of our primary recommendations for transitioning to a Partner State is the creation of a Co-operative University to serve as the nation's primary research, education, and training facility for generating the attitudes, knowledge, and professional skills needed for implementing the policies and realizing the aims of a Partner State.

As a vital research and training institution, the university would serve as the nation's premier training ground for advancing the capacities of the citizenry – whether in government, the social/solidarity economy, or the private sector – to understand the principles and practices of open government; of social entrepreneurship; of distributed and co-operative economic and social development; of the protection, expansion, and management of the commons; and of decentralized co-operative democracy as a template for the co-creation and co-management of government policy.

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<sup>44</sup> <http://evergreencooperatives.com/>

The organizational and operational structure of the university would embody the principles of co-operative governance outlined in this paper and would serve as a model for the transmission of the co-operative and commons concepts and skills articulate above.

There has recently emerged a body of research associated with the relation of co-operative values and structures to the many critical challenges facing the role and functioning of contemporary universities in the context of advanced neo-liberalism. Ranging from the rise of over 700 co-operative schools in the UK, to studies on the performance of existing co-operative universities such as the Mondragon University in Spain,<sup>45</sup> a range of commentators have explored the potential of the co-operative model to radically reform pedagogical practice, both at primary school levels and in higher education.<sup>46</sup>

A constant theme throughout these studies is how to construct an organizational model and learning culture that re-orient the university from the production of skills and knowledge for private – that is to say corporate – ends, to one which regards the university as a form of social commons in which knowledge is produced primarily for the advancement of social aims. Needless to say, this has a fundamental relevance for the advancement of a social knowledge economy.

As argued at the very beginning of this series of papers, the concepts of social knowledge and the social knowledge economy are not mere abstractions that relate only to the immaterial world of knowledge creation and diffusion. To be realized and to survive, they must inhere in the material world of social relations and institutions, in the models of production, and in the organizational forms that provide access to knowledge and diffuse its benefits for collective ends. Nowhere is this more important than in the institutions that deal directly with the formal processes of knowledge production, transference, and application – the university.

Just as the modern university is the primary matrix within which the values, skills, and attitudes that are essential for the operation of contemporary capitalism are inculcated and replicated, so too, does a social knowledge economy require an analogous academy capable of developing the attitudes and skills that are essential for generating a culture of co-operation and the commons that both reflects and advances the social and economic principles that sustain such an economy.

Without this, it is difficult to see how the aims of Buen Vivir, including the systemic transformation of Ecuador's productive matrix, the realization of knowledge as a commons, and the transition to a Partner State model that both embodies and stewards these principles, will be achieved.

## 7. Concluding Remarks

The idea and the practice of the Partner State is both challenging and, in our opinion, utterly necessary. For many, the current impasse in political governance is threatening the material basis of human civilization. It is equally clear that the forms of representative democracy practiced today are manifestly incapable of defending the broad public interest with which governments have been entrusted.

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<sup>45</sup> Report on a Field Visit to Mondragon (Wright *et al* 2011)

<sup>46</sup> Cook, Dan (2013) Realising the Co-operative University. A consultancy report for The Co-operative College. Retrieved on 13th June 2014 from [http://dbms.ilrt.bris.ac.uk/media/user/162789/Realising\\_the\\_co-operative\\_university\\_FOR\\_DISEMINATION.pdf](http://dbms.ilrt.bris.ac.uk/media/user/162789/Realising_the_co-operative_university_FOR_DISEMINATION.pdf)

The reasons for this are also clear: the capture of national governments by capital interests; the continuing protection of these interests in the formulation of economic and social policy; the imposition of policies that weaken existing labour and social protections; the gradual criminalization of dissent; and the growing disaffection and distrust of both government and the prevailing economic paradigm that is a direct consequence of this impasse. And whereas the achievements of the Welfare State model in the post war era contributed to the amelioration of social and economic inequities, the dismantling of this model under the aegis of neo-liberal policies has now returned vast numbers of the world's population to the precariousness of previous eras.

Unless the economies of nations are re-oriented toward the pursuit of the common good and toward a more equitable, humane, and sustainable form of economics, the forward movement of our present condition will only deepen the current crisis. This carries with it the certain prospect of accelerating social and economic upheaval as populations become more alienated from their governments and from the dysfunctional capital-dominated economies they sustain. For this to change, there needs to be a fundamental shift in how governments operate and how they relate to their citizenry.

The fundamental premise of democracy is that governments are accountable to their citizens and that government policies serve and protect the common interest. An irreplaceable aspect of this common interest are the commons themselves that underlie the operations, attitudes, and skills that make possible the collective forms of living and acting that define the social and solidary character of a healthy civil society. It follows that unless the collective values of civil society and the common good can determine how economies operate, the present model of political economy will do no more than tinker with a system that is in dire need of radical reform. The Partner State is one way of ushering in this reform.

In the analysis advanced in this paper, the proposals for implementing a Partner State approach in Ecuador are an extension of the precepts and aims of the national Constitution and the National Plan for Good Living. In these documents inhere those principles of respect for nature, of the opportunity for people to pursue their individual and collective well being, of the promotion of social and economic activities that promote the public welfare, and of the constitutional right of communities, whether territorial or cultural, to participate meaningfully in the affairs of state that affect them.

These are the ethical foundations for a new form of governance that places the civil power in a relationship of equality with government for the exercise of economic and social policies that will operate at national, regional, and local levels. In the Partner State, government becomes a partner and enabler of civic solutions to collective problems. And while the operations of the capitalist market continue, as do those of the public sector, these are counterbalanced by the collective and civic aims of the State, co-constructed with the institutions of civil society. We propose that the realization of the concept of Buen Vivir is not achievable without a systemic shift of the State in this direction.

But this is not merely a question of making real the aspirations of the National Plan. The concept of the Partner State is an opportunity to salvage what is good and necessary in the apparatus of government while opening it to those civic values that alone can restore legitimacy to it. In its aspirations toward Buen Vivir, Ecuador has the opportunity to pioneer such a model. If it does so it will offer an example of how government can indeed change course toward a more humane and sustainable future through the engagement and empowerment of its citizenry in the affairs of state. The alternative is that an opportunity for meaningful change may be lost and the powerful civic ideals of the Constitution and Buen Vivir will remain as admirable as they are unattainable.



## 8. Appendix 1

**El reglamento fue redactado bajo el proyecto "Ciudades como un bien común " bajo la dirección científica de Labsus con el apoyo en el territorio de la Antártida central y con el apoyo de la Fundación Del Monte**

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12 - (Medidas de cuidado ocasional) 13 - (Gestión compartida de los espacios públicos) 14 - (Gestión compartida de los espacios privados de uso público) 15 - (Las medidas de rehabilitación de los espacios públicos)

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18 - (uso de la formación) 19 - (El papel de la escuela)

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20 - (Exenciones y concesiones en relación con las tasas y los impuestos locales) 21 - (Acceso a los espacios comunes) 22 - (Suministros y Equipo de Protección Personal) 23 - (Asistencia en la planificación)

24 - (Recursos Financieros por concepto de reembolso de los gastos incurridos) 25 - (autofinanciación) 26 - (las formas de reconocimiento a las acciones realizadas) 27 - (gestión de instalaciones)

CAPÍTULO VII - La comunicación, la transparencia y la evaluación

28 - (Comunicación Collaborative) 29 - (Herramientas para facilitar la accesibilidad de las oportunidades para la colaboración) 30 - (Informes, medición y evaluación de las actividades de colaboración)

CAPÍTULO VIII - Responsabilidades y supervisión

Artículo 31 - (Prevención de riesgos) 32 - (Disposiciones sobre la asignación de responsabilidades) 33 - (conciliación Intento)

CAPÍTULO IX - Disposiciones finales y transitorias

34 - (cláusulas interpretativas) 35 - (Experimental) Artículo 36 - (disposiciones transitorias)

## CAPÍTULO I - Disposiciones Generales

### artículo 1

(Objetivos, finalidad y ámbito de aplicación)

1. Este Reglamento, en armonía con las disposiciones de la Constitución y el Estatuto de la municipal que regulan las formas de cooperación entre los ciudadanos y la administración para el tratamiento y la regeneración de los bienes públicos urbanos, en particular, el efecto de dar al arte. 118, 114, apartado 2 y 117 párrafo 6 de la Constitución.
2. Disposiciones se aplicarán en los casos en que la intervención de los ciudadanos para el tratamiento y la regeneración de los comunes urbanos requiere la cooperación o re -shore a la tensión de la administración de la ciudad.
3. Colaboración entre los ciudadanos y la administración se manifiesta en la adopción de actos administrativos de carácter no autoritario.
4. Permanezca firme y distinta de la materia objeto del presente Reglamento, las disposiciones reglamentarias de la Ciudad que regulan la prestación de los beneficios económicos y de apoyo instrumental a las asociaciones, de conformidad con el art. 12 de la Ley de 7 de agosto de 1990. 241.

### artículo 2

(Definiciones)

. 1 Se aplicarán los efectos de estas disposiciones:

- a) Activos municipios urbanos, propiedad, tangible, intangible y digital, que los ciudadanos y la Administración, incluso mediante procedimientos participativos y deliberativos, ser funcionales a reconocer el bienestar individual y colectivo y activar las dosis en consecuencia en contra de ellos en virtud de 'Art. 118 último párrafo de la Constitución, para compartir con el gobierno de la responsabilidad de su cuidado o la regeneración con el fin de mejorar el disfrute colectivo.
- b) Común o Directores: El municipio de Bolonia en sus diversas reuniones de organización institucional y.
- c) Los ciudadanos activos: todos los sujetos, individuos, asociados o de otra manera ensamblada en el formulario -ciones sociales, también, un negocio o la naturaleza social que actúa compartimientos para el tratamiento y la regeneración de los comunes urbanos en virtud del presente Reglamento.
- d) Propuesta de colaboración: la manifestación de interés, formulada por los ciudadanos activos, a fin de que las intervenciones de atención o la regeneración de los bienes co -  
municipios urbanos. La propuesta puede ser espontánea o en respuesta a una solicitud formulada por el Ayuntamiento.
- e) Convenio de colaboración: el pacto por el que el Ayuntamiento y los ciudadanos activos definen el alcance de las intervenciones de enfermería o la regeneración de los bienes comunes urbanos.
- f) Intervenciones de enfermería: intervenciones orientadas a los bienes comunes urbanos de protección, conservación y libres de mantenimiento para garantizar y mejorar su facilidad de uso y calidad.



g) la gestión compartida: las intervenciones de enfermería de bienes comunes urbanos realizados conjuntamente por el público y por el carácter de continuidad y la inclusión.

h) Medidas para la regeneración: Trabajos de restauración, transformación e innovación de los bienes comunes, participar, a través de los métodos de co - diseño, los procesos de las cuestiones sociales, económicas, tecnológicas y ambientales, grandes e integradas, que en conjunto tienen un impacto en la mejora de la calidad de vida en el cit - ta.

i) Los espacios públicos: parques, plazas, calles, aceras y otros espacios públicos o abiertos al público, de propiedad del público o de uso público.

l) Red Ciudadana: el espacio de la ciudadanía en el Internet para la publicación de in- formación y noticias institucionales, el uso de servicios en línea y la participación en el intercambio de rutas interactivo.

m) Número Medio: el canal de comunicación - conectado a la red cívica - para la recolección, evaluación, la votación y comentar sobre las propuestas presentadas por la Administración y por los ciudadanos.

garantizar la equidad en las relaciones con los ciudadanos activos y verificabilidad de las acciones emprendidas y los resultados obtenidos.

c) Responsabilidades: administración aumenta la responsabilidad, y sus ciudadanos como un elemento central en la relación con los ciudadanos, así como los servicios que se consideran Directorio condición previa necesaria para contribuir a la Euro - niñera para producir resultados útiles y mensurables.

d) la inclusión y la transparencia: las acciones de cuidado y la regeneración de los bienes común debe organizarse de manera tal que permite que en cualquier momento otros ciudadanos interesados pueden participar en las actividades.

e) Sostenibilidad: la administración, en el ejercicio de la discrecionalidad que se necesita, compruebe que la colaboración con el público no crea cargas son mayores que los beneficios y no conduce a consecuencias negativas para el equilibrio ambiental.

f) Proporcionalidad: la administración acorde a las necesidades reales de la protección del interés público involucrado en la carga administrativa, las garantías y los estándares de calidad requeridos por la propuesta, la investigación y la realización de operaciones de colaboración.

g) Adecuación y diferenciación: las formas de cooperación entre los ciudadanos y la administración se adaptan a las necesidades de cuidado y la regeneración de los comunes urbanas y se diferencian en función del tipo o naturaleza del bien común de la ciudad y la gente cuyo bienestar y funcionales.

h) La informalidad: la Administración exige que la relación con los ciudadanos av- está sujeta a formalidades específicas y sólo cuando la proporcionada por la ley. En los restantes casos se asegura la flexibilidad y la simplicidad en el informe, en la medida de lo posible para garantizar el cumplimiento de la ética pública, así como disminuido el código de conducta para los funcionarios públicos y los principios de equidad, el buen desempeño, transparencia y seguridad.

i) la administración cívica Autonomía reconoce las iniciativas autónomas de los ciudadanos y prepara todas las medidas necesarias para garantizar el ejercicio efectivo de todos los ciudadanos activos.

### (Principios Generales)

1 La colaboración entre los ciudadanos y la administración en base a los siguientes valores y principios:

a) La confianza mutua: sin perjuicio de las prerrogativas de supervisión pública, la planificación y la supervisión, la Administración y los ciudadanos activos im - prontano su relación de confianza mutua y se supone que la respectiva cooperación voluntaria se orienta a la consecución de los fines de interés en general.

b) Publicidad y transparencia: la administración garantiza la máxima como scibilita de oportunidades de colaboración, las propuestas recibidas, la ayuda concedida para-mí, las decisiones tomadas y los resultados de las evaluaciones realizadas. Reconoce la transparencia en el principal instrumento para

artículo 4

### (Ciudadanos Activos)

1. La intervención de la atención y la regeneración de los comunes urbanas, entendida como una manifestación concreta de la participación en la vida de la comunidad y el instrumento para el pleno desarrollo de la persona humana, y abierta a todos, sin más requieren de tipo I del título legitimación.

2. Los ciudadanos activos pueden hacer para cuidar y regeneración

bienes comunes como individuos oa través de las formaciones sociales en las que ejercen su propia personalidad, de forma permanente, organizada o no.

3. Cuando los ciudadanos se activan a través de formaciones sociales, las personas que se inscriban los pactos de cooperación en virtud del artículo. 5 de este Reglamento se relaciones con el Ayuntamiento, la formación social que se compromete a llevar a cabo las intervenciones de enfermería y la regeneración de los bienes común.

4. La eficacia de los acuerdos de colaboración en el arte. 5 de este reglamento con el método de entrenamiento y acondicionamiento de acuerdo a la voluntad democrática de la formación social que se compromete a llevar a cabo las intervenciones de enfermería y la regeneración de los bienes comunes.

5. Pactos de cooperación en virtud del artículo. 5 de este documento reconocer y explotar sin intereses, incluso privadas, que aportan los ciudadanos activos que contribuyan a la consecución del interés general.

6. Municipio reconoce la participación de los ciudadanos a la atención las intervenciones o la regeneración urbana de los bienes comunes como una forma de reparación por daños y perjuicios contra la entidad a los efectos previstos en la ley penal, o como medida alternativa a la prisión y multa monetaria, en la forma prevista por la legislación del trabajo de utilidad pública.

7. Cuidados e intervenciones de regeneración urbana de los bienes comunes pueden constituir proyectos de servicio civil en la que la Ciudad puede emplear a jóvenes seleccionados para este fin, de acuerdo con los procedimientos acordados con los ciudadanos.

d) el modo de disfrute colectivo de los bienes comunes sujeto urbano del acuerdo;

e) las consecuencias de cualquier daño que ocurra a personas o bienes durante o debido a las intervenciones de la atención y la regeneración, las necesidades y las características de la cobertura del seguro y de la asunción de la responsabilidad de conformidad con los requisitos del

art. 31 y 32 del presente Reglamento, así como las medidas necesarias para eliminar o reducir las interferencias con otras actividades;

f) las garantías para cubrir los daños causados a la ciudad como consecuencia de la falla, la aplicación parcial o irregular de las medidas acordadas;

g) las formas de apoyo que ofrece el City, modulado en relación con el valor añadido que la colaboración y el potencial para generar;

h) las medidas relativas a la publicidad de la alianza, la modalidad de la documentación de las medidas adoptadas, de seguimiento sistemático de, y la notificación de los recursos utilizados para la medición de los resultados producidos por la colaboración entre los ciudadanos y la administración;

i) el cuerpo técnico de la municipal a los ciudadanos, la supervisión sobre la marcha de la colaboración, la gestión de los conflictos que puedan surgir durante la propia sana colaboración y la imposición de sanciones en caso de incumplimiento de las disposiciones del presente Reglamento o del pacto;

l) los motivos de exclusión de las personas en caso de incumplimiento del presente Reglamento o los términos de la alianza, las estructuras resultantes de la conclusión de la colaboración, tales como el derecho de las obras, de los derechos reservados a los autores de las obras originales, el regreso de bienes, y cualquier otro efecto relevante;

m) las modalidades de adaptación y modificaciones a las iniciativas acordadas.

3. Pacto de colaboración puede contemplar actos de patrocinio, que dan alivio -amplio a través de formas comunicativas de la publicidad y la comunicación de la intervención llevada a cabo, el uso de los derechos de imagen, la organización de eventos y todas las otras formas de comunicación o reconocimiento no crea derechos exclusivos sobre el bien urbano común.

(Intervenciones en espacios públicos y edificios)

1. Cooperación con ciudadanos activos puede proporcionar diferentes niveles de intervención situadas en un intencional espacios y edificios públicos compartidos, y en particular: el de atención de vez en cuando, el cuidado constante y de gestión compartida en curso y de regeneración.

2. Los ciudadanos activos pueden implementar intervenciones, de forma ocasional o

artículo 5

(Pacto de colaboración)

1. El pacto de cooperación y de los medios por los que el Ayuntamiento y los ciudadanos activos de acuerdo en todo lo que sea necesario para la ejecución de las intervenciones de la atención y la regeneración de los bienes comunes.

2. El contenido del acuerdo varía según el grado de complejidad de las intervenciones acordadas y la duración de la colaboración. Los accionistas, teniendo en cuenta la normativa específica que requiera las características de colaboración, definir, en particular:

a) los objetivos que los objetivos y acciones de atención compartida de colaboración;

b) la duración de la colaboración, las causas de suspensión o incluso anticipada la misma conclusión;

c) el modo de acción, el papel y las obligaciones recíprocas de las partes implicadas, los requisitos y los límites de la intervención;

artículo 6

continua, la lactancia o la gestión compartida de los espacios públicos y los edificios identificados periódicamente por u ofrecidos por ciudadanos activos. La intervención dirigida a:

- Suplemento o mejorar el estándar de mantenimiento garantizado por la ciudad o mejorar la habitabilidad y la calidad de los espacios;

- Para garantizar la facilidad de uso de los espacios públicos colectivos o los edificios no incluidos en los programas de mantenimiento municipal.

3. Altesri puede implementar intervenciones, regeneración técnica o financiera de los espacios públicos y los edificios.

(Promoción de la innovación social y los servicios de colaboración)

1. El Ayuntamiento promueve la innovación social, que permite conexiones entre los recursos de dife- rentes en la sociedad, para crear servicios que respondan a las necesidades sociales y al mismo tiempo activar los vínculos sociales y nuevas formas de cooperación cívica, incluyendo a través de plataformas y entornos digital, con especial referencia a la red cívica.

2. Municipio promueve la innovación social para la producción de servicios con - laborativi. Con el fin de optimizar o complementar la prestación de servicios públicos o para proporcionar una respuesta a la aparición de nuevas necesidades sociales, el Ayuntamiento promueve la participación directa del usuario final de un servicio en su proceso de planificación de proyectos, la infraestructura y la entrega. La producción de servicios de co - vicepresidentes se promueve para que los procesos generativos de los bienes comunes tangibles, intangibles y digitales.

3. Municipio persigue los objetivos mencionados en el presente artículo el fomento de la creación de cooperativas, empresas sociales, la creación de empresas en vocación social y el desarrollo de actividades y proyectos en los ámbitos económico, cultural y social.

4. Espacios y edificios que se refiere este reglamento son una re- sorsa funcional para el logro de los fines mencionados en el presente artículo. El Ayuntamiento se reserva una parte de estos activos para proyectos que fomenten la innovación social - Scano o la producción de servicios de colaboración.

(Promoción de la creatividad urbana)

1. El Ayuntamiento promueve la creatividad, las artes, la educación y la experimentación -ción artística como una de las herramientas fundamentales para la reconstrucción de las zonas urbanas o activos individuales, para la producción de valor de la tierra, por

la cohesión social y el desarrollo de habilidades.

2. Para lograr los propósitos de la reserva de la ciudad una parte de los espacios y edificios que se refiere el presente Reglamento para llevar a cabo actividades encaminadas a la promoción de la creatividad y sobre todo la juventud urbana.

3. Municipio Urbano promueve la creatividad, haciendo uso de espacios efímeros y la propiedad comunal de la propiedad pendientes de un destino final de uso. Estos activos pueden ser destinados a un uso temporal en la mejora de la vocación artística, para evitar la creación de los espacios urbanos y los lugares de conflicto social.

artículo 7

artículo 9

(Innovación Digital)

1. El Ayuntamiento fomenta la innovación a través de la participación de las intervenciones digitales en la concepción, diseño e implementación de servicios y aplicaciones para la red ciudadana por la comunidad, con especial atención a la utilización de datos abiertos y de las infraestructuras, en perspectiva de los bienes comunes digitales.

2. A tal efecto, el Ayuntamiento se compromete con las partes que participan en la vida cívica y la evolución de la red y proporcionan el entorno de colaboración de las competencias de media y cívicos a co- diseño y realización de servicios innovadores y de datos, espacios, infraestructuras y plataformas digitales, tales como el medio de la red y el Civic.

## CAPITULO II - Disposiciones del procedimiento

### artículo 10

#### (Disposiciones Generales)

### artículo 8

1. La función de gestión de la colaboración con los ciudadanos activos y planificada, como parte del esquema de organización municipal, de acuerdo a qué entidad institucional de conformidad con el art. 118 último párrafo de la Constitución. La organización de esta función debe ser tal que se garantice la máxima proximidad con el territorio de las partes responsables de la relación con el ciudadano, la máxima coordinación con los cuerpos de naturaleza político-administrativa e intersectorial de sus operaciones.

2. A fin de simplificar la relación con los ciudadanos activos, el Ayuntamiento va a definir, de conformidad con lo dispuesto en el apartado 1 anterior, la estructura responsable de la gestión de las propuestas de colaboración. Esta estructura proporciona directamente la activación de los servicios competentes, constituyendo el proponente para cada co - socio en la relación con la administración.

3. Asegurar que las actividades de los ciudadanos activos para el cuidado de los bienes común llevan a cabo en armonía con el conjunto de los intereses públicos y privados - involucrados en la colaboración propuesta debe recibir el consentimiento de la Ciudad.

4. En relación con las intervenciones de enfermería y la regeneración del arte. 29, párrafo 1, del consentimiento de la Ciudad se puede expresar a priori. En tales casos, los ciudadanos activos, la aceptación de las normas establecidas, que pueden tomar las intervenciones de atención y la regeneración urbana de los bienes comunes sin necesidad de más trámites.

5. En otros casos, el consentimiento del Ayuntamiento y expresa y regulada en el pacto de cooperación.

6. Municipio publicará periódicamente una lista de los espacios, edificios o infraestructura digital que será el tema de las intervenciones de enfermería o de regeneración, con indicación de los fines que se persiguen con la colaboración de ciudadanos activos.

7. En caso de que haya más propuestas de colaboración en relación con un bien común - mede <sup>a</sup>, entre su no- integrable, la elección de la propuesta de debajo de escritura se realiza por procedimientos de tipo participativo.

4. El caso se refiere a la letra. c) del apartado 1, la estructura responsable de la gestión de la colaboración propuesta notificará al proponente el tiempo necesario para la conclusión de la investigación en relación a la complejidad de la intervención y la integridad de los elementos suministrados. También comunicará la lista de instalaciones que, en relación con el contenido de la propuesta involucrarán en el i- RELIMINARY.

5. 'M formas apropiadas voluntaria de la publicidad de la cooperación propuesta, con el fin de adquirir, por todos los interesados , en el plazo fijado, las observaciones pertinentes a la evaluación de los intereses en juego o para fomentar la aparición de los efectos adversos de la propuesta en sí, o contribuciones o aportaciones adicionales.

6. Propuesta de colaboración se somete a evaluación técnica de las oficinas y los gestores de los servicios públicos involucrados. La propuesta es altresí puerta - ta al Presidente del Distrito responsable del área, la potra qua -le envían sus evaluaciones de las oportunidades de la propuesta en relación con las líneas de programación de las actividades de la institución.

7. Estructura deberá, sobre la base de las evaluaciones técnicas y apropiada - ta adquirido los actos necesarios para dar cumplimiento a la colaboración y se lo propuso a la gerente de la oficina o la oficina encargada de la cuestión.

8. Cuando la Comisión considere que no existen las condiciones técnicas u oportunidades de proceder, la propiedad lo notificará al solicitante explicar las razones de la misma e informará a las oficinas y organismos políticos involucrados nell'istruttoria.

9. Propuesta de colaboración que da lugar a cambios sustanciales en las condiciones de las instalaciones o para el uso previsto de los espacios públicos y se somete al escrutinio preliminar del Ejecutivo.

10. En el caso de un resultado favorable de la investigación, el proceso administrativo termina con la firma del pacto de cooperación, que es competencia de la dirección ejecutiva.

11. Los pactos de colaboración firmados se publican en la red cívica, a fin de promover la difusión de las buenas prácticas y la evaluación generalizada de los resultados obtenidos.

#### artículo 11

(Las propuestas de colaboración)

1 La gestión de las propuestas de cooperación difiere en función de si.:

- a) la colaboración propuesta se formula en respuesta a una solicitud de administración;
- b) la propuesta entra dentro de las formas predefinidas de colaboración en el arte. 29, párrafo 1;
- c) la propuesta es presentada por los ciudadanos, en los ámbitos cubiertos por el presente Reglamento.

2. En el caso de la carta. a) del apartado 1 y los procedimientos formales definidos en el anuncio por el que el municipio invita a los ciudadanos a presentar proyectos de tratamiento activo o de regeneración, en cumplimiento de lo dispuesto en el presente Reglamento.

3. En el caso de la carta. b) del apartado 1 a los procedimientos formales definidos por la Ley y la gestión que identifica el alcance, los requisitos y condiciones del módulo collaborati -vo por defecto.

### CAPÍTULO III - En el cuidado y la rehabilitación de los espacios públicos

#### artículo 14

#### artículo 12

(Gestión compartida de los espacios privados de uso público)

1. El pacto de colaboración puede ser diseñado para la gestión compartida de un espacio privado de uso público.

2. Los ciudadanos activos cuidar el espacio, por un período predefinido, a fin de realizar todas las operaciones y actividades especificadas en el acuerdo.
3. Los ciudadanos activos no pueden realizar actividades o acciones que van en contra de la opinión pública o la propiedad privada de los activos.
4. Deberá garantizarse la posibilidad de la gestión compartida de ese activo por una pluralidad de ciudadanos activos. El Ayuntamiento promueve la disponibilidad de los propietarios o empresas a unirse en asociación, consorcio, cooperativa, fundación barrio o área que representa al menos el 66 por ciento del patrimonio o los bienes de las tiendas que insisten en el espacio privado de uso público.

(Las medidas de rehabilitación de los espacios públicos)

1. El pacto de colaboración puede ser diseñado para trabajar en la regeneración de los espacios públicos o privados de uso público, que deben lograrse a través de una contribución económica, los ciudadanos en total o predominantemente activas. En este caso, la Ciudad evalúa la propuesta de una técnica o adquiere y libera las autoridades ciones prescritas por la normativa.
2. Las propuestas de colaboración que dará lugar a la regeneración de las intervenciones en espacios públicos deben llegar a la acompañados de la documentación adecuada para describir claramente la intervención a realizar. En particular, deben estar presentes: memoria explicativa, el mantenimiento de programas, tablas gráficas en escala adecuada de la propuesta del proyecto, estimación del trabajo a realizar.
3. Pacto de cooperación se puede esperar que los ciudadanos activos absorben a través de la ejecución directa de las medidas de regeneración.
4. El pacto de cooperación se puede esperar que el gobierno se haga cargo de la e- sis siendo las intervenciones de regeneración. En este caso, la administración deberá identificar a los operadores económicos para consultar sobre la base de abierto, transparente, abierto y participativo.
5. Se mantiene firme por el trabajo realizado por la obra regeneradora de la normatividad vigente en materia de requisitos y la calidad de los operadores económicos, la ejecución y comprobación de las obras públicas, en su caso.

(Medidas de cuidado ocasional)

1. La ejecución de las intervenciones para el cuidado ocasional no requiere, por regla general, la firma del pacto de cooperación, que se inscribe en los formularios predeterminados de la cooperación a que se refiere el art. 29, apartado 1.
2. A fin de facilitar la difusión y el afianzamiento de las prácticas de atención ocasionales de la Ciudad anuncia en las operaciones de redes cívicas emprendidas, resalte ziando las áreas de mayor concentración.

artículo 13

(Gestión compartida de los espacios públicos)

artículo 15

1. El pacto de colaboración puede ser diseñado para gestionar el espacio público compartido.
2. Los ciudadanos activos cuidar el espacio, por un período predefinido, a fin de realizar todas las operaciones y actividades especificadas en el acuerdo.

3. Los ciudadanos activos no pueden realizar actividades o acciones que entran en conflicto con el uso colectivo del activo.

4. Deberá garantizarse la posibilidad de la gestión compartida de ese activo por una pluralidad de ciudadanos activos. El Ayuntamiento promueve la disponibilidad de los propietarios o empresas a unirse en asociación, consorcio, barrio cooperativa o área que representa al menos el 66 por ciento del patrimonio o los bienes de las tiendas que insisten en el espacio público.

5. Administración reconoce el derecho de preferencia a las zonas restringidas a verde arte público urbano. 4, apartado 5, de la Ley de 14 de enero de 2013, n. 10, a los propietarios que alcanzan al menos el 66 por ciento de las propiedades entre sí en forma de asociación, consorcio, barrio cooperativa o distrito.

6. Las intervenciones relacionadas con el patrimonio cultural y la regeneración del paisaje sometido a protección en virtud del Decreto Legislativo de 22 de enero 2004 n. 42 se someten primero a las autoridades competentes Superintendente en relación con el tipo de intervención, con el fin de obtener los permisos necesarios, autorizaciones o actos de asentimiento, sin embargo denominados en la ley vigente, con el fin de garantizar que la medida es compatible con el carácter artístico o pueblo, el aspecto y la decoración de la propiedad. Los procedimientos relativos a las autori -ciones anteriores corren a cargo del municipio.

#### CAPÍTULO IV - En el cuidado y regeneración de edificios

##### artículo 17

(Gestión compartida de los edificios)

##### artículo 16

1. Pactos de cooperación que implique a las propiedades de cuidado y regeneración proporcionan la gestión compartida de los activos por los ciudadanos activos, incluidos los miembros de una asociación, consorcio, cooperativa, barrio fundación o com - pensorio, de forma gratuita y con la permanente hipoteca de este tipo de intervenciones de atención compartida cubiertos regularmente en los propios acuerdos.

2. Gestión compartida garantiza el uso colectivo del activo y la apertura de todos los ciudadanos que estén dispuestos a cooperar en lo que respecta a la atención y la regeneración de la mercancía o de las actividades mencionadas en el apartado 1.

3. Duración de la gestión compartida no exceda normalmente de nueve años. Los períodos más largos, posiblemente, puede ser acordados teniendo en cuenta el compromiso financiero concreto requerido para la construcción de obras de rehabilitación de los inmuebles.

4. Pactos de cooperación que regula los gastos de mantenimiento y de las obras, incluso - Tuali de construcción cargos de recuperación en ciudadanos activos. Cualquier mejora o adiciones deben realizarse sin costo alguno para el gobierno y los examine.

#### CAPÍTULO V - Formación

(Identificación de los edificios)

1. El Consejo, sobre la base de las directrices aprobadas por el Ayuntamiento también el resultado de los procedimientos participativos y deliberativos, identificar regularmente como parte de los activos inmobiliarios de los edificios municipio en un estado avanzado de abandono o deterioro parcial o total, que, según la ubicación, propósito estructural y funcional, se prestan a la atención y la regeneración de lograrse mediante convenios de colaboración entre los ciudadanos y el Ayuntamiento.



2. La revisión periódica de los edificios en un estado avanzado de abandono y sugerencias para el cuidado y regeneración hecha por los ciudadanos y promovido con parcial o total transparente, abierto y participativo, de conformidad con lo dispuesto en el Decreto Legislativo de 14 de marzo de 2013, n. 33 y las disposiciones vigentes en materia de digitalización de la actividad administrativa.

3. Las propuestas de colaboración para la regeneración de los edificios en un estado avanzado de abandono parcial o total se valoran sobre la base de transparente y no discriminatoria. El Ayuntamiento, en su caso, promover la coordinación entre las propuestas presentadas por el mismo edificio o en edificios diferentes.

4. El Ayuntamiento puede promover y adherirse a un acuerdo de colaboración que implican las intervenciones de enfermería y la regeneración de los edificios en un estado avanzado de abandono parcial o total de la propiedad de un tercero, con el consentimiento de este último, o de conformidad con el art. 838 del Código Civil.

#### Artículo 18

##### (Uso de la formación)

1. El Ayuntamiento reconoce la educación como un instrumento capaz de orientar y apoyar las acciones necesarias para transformar las necesidades que surgen de la colaboración entre los ciudadanos y la administración, en tiempos de cambio.

2. La formación se dirige tanto a los ciudadanos activos, tanto a los empleados y directivos de la ciudad, incluso a través de momentos conjuntos.

3. Administración ofrece a los ciudadanos activos de las habilidades de sus empleados y proveedores, y fomenta el encuentro con las habilidades disponibles en la comunidad y se ofrece gratuitamente a transferir conocimientos y metodologías útiles para operar correctamente en el cuidado compartido de mercancía común.

4. La formación de ciudadanos activos está dirigido, principalmente, y la com-adquisición de las siguientes competencias:

a) aplicar las técnicas correctas de intervención en las acciones de cuidado, limpieza y mantenimiento;

b) adquirir conocimientos sobre el marco normativo, prevención de riesgos y el uso adecuado del equipo de protección personal;

c) documentar las actividades y del informe formas de apoyo;

d) utilizar a sabiendas las tecnologías, plataformas y medios ciudadanos.

. 5 Formación pagada a los empleados y directivos de la municipalidad es fina jugado, lo más importante, la adquisición de las siguientes competencias:

a) comprender y aplicar las técnicas de la facilitación, la mediación y la escucha activa;

b) Conocer y utilizar los enfoques de metodologías para la planificación participativa y la creación y desarrollo de las comunidades;

c) Conocer y utilizar las herramientas de comunicación de colaboración, incluidos digital.

#### CAPÍTULO VI - Formas de apoyo

(Exenciones y concesiones en relación con las tasas y los impuestos locales)

1. Las actividades llevadas a cabo bajo los términos de cooperación establecido en el artículo 5 del presente Reglamento, se considerarán de interés público especial en los efectos de las facilidades proporcionadas por la ordenanza municipal para la ocupación de terrenos públicos y la aplicación de la tasa correspondiente ".

2. No podrán constituir el ejercicio de la actividad comercial, los efectos de las exenciones y facilidades previstas por la normativa municipal para la ocupación de terrenos públicos y la aplicación de la tasa correspondiente, la recaudación de fondos públicos llevaron a cabo bajo los términos de la colaboración se refiere el artículo 5 del presente Reglamento, si todas las condiciones siguientes:

a) Si se trata de iniciativas ocasionales;

b) la recogida se realiza en conjunto con celebraciones, aniversarios o campañas de sensibilización;

c) los bienes suministrados para la recogida de poco valor.

3. Actividades desarrolladas bajo los términos de cooperación establecido en el artículo 5 del presente Reglamento, se considerará que llevarse a cabo para explotar más plenamente la subsidiariedad horizontal, a los efectos de las exenciones y facilidades previstas en relación con los impuestos municipales secundaria artículo 11, párrafo segundo, letra f) del Decreto Legislativo de 14 de marzo 2011 n. 23.

4. El Ayuntamiento, en el ejercicio de las competencias normativas previstas en el artículo 52 del Decreto Legislativo 15 de diciembre 1997, no. 446, establece exenciones y facilidades adicionales, en términos de ingresos y de los impuestos, a favor de las formaciones sociales que llevan a cabo actividades en el marco de acuerdos de colaboración a que se refiere el artículo 5 del presente Reglamento o de las asociaciones, consorcios, cooperativas, fundaciones-ni barrio o área a que se refiere el presente Reglamento, asimilando el tratamiento a la de asociaciones, fundaciones y otras instituciones no para el beneficio.

#### Artículo 20

#### Artículo 19

##### (El papel de la escuela)

1. El Ayuntamiento anima a la participación de las escuelas de todos los grados que la elección estratégica para la expansión y profundización de las prácticas de la colaboración en las acciones de cuidado y regeneración de los recursos comunes.

2. El Consejo trabaja con las escuelas y la Universidad para la organización de la formación, teórica y práctica, en la administración de los activos compartidos común para los estudiantes y sus familias.

3. Pactos de la cooperación con las escuelas y la Universidad podrá disponer asimismo que la participación de los estudiantes en las acciones de atención y la regeneración de los bienes comunes se evaluará a los efectos del devengo de créditos curriculares.

#### Artículo 21

##### (Acceso a los espacios comunes)

1. Los ciudadanos activos que lo soliciten podrán utilizar temporalmente los espacios comunes para reuniones o actividades de autofinanciamiento.

2. Uso de los espacios que se refiere el párrafo anterior se logró la igualdad, en cuanto a la determinación de los cargos presentados, las actividades institucionales de la Ciudad.

## Artículo 22

4. El pacto de cooperación identifica el importe máximo de la contribución co-munale y los modos de prestación.

5. Liquidación de la contribución está sujeta a la presentación de informes de activos del Grupo realizadas y los costes incurridos, que se elaborará de conformidad con el art. 30 del presente Reglamento. Informes similares debe estar preparado en relación con la parte de la contribución puede ser anticipado en el momento de suscribir el acuerdo.

. 6 Los costos pueden ser reembolsados por:

a) la compra o arrendamiento de activos materiales, consumibles y equipos de protección personal necesarios para la realización de las actividades;

b) las pólizas de seguro;

c) los costos de los servicios necesarios para la organización, coordinación y formación de los ciudadanos.

7. Los ciudadanos pueden hacer uso de los profesionales necesarios para la planificación, organización, promoción y coordinación de la atención y la regeneración de los bienes comunes, así como para garantizar una formación específica actividades o carácter especializado. Cargos debidos pueden no competir en más de 50% en la determinación de los costos reembolsables.

(Suministros y Equipo de Protección Personal)

1. Consejo proporciona el equipo de protección personal necesario para la ejecución de las actividades, dentro de los límites de los recursos disponibles, los bienes de capital e insumos.

2. Instrumentos, equipos y dispositivos se proporcionan en préstamo por u-know y, excepto por el desgaste normal, debe ser devuelto en buen estado al final de las actividades.

3. Pacto de cooperación puede ser posible que el prestatario se hace referencia en el párrafo anterior para poner temporalmente los bienes a disposición de los demás ciudadanos y asociaciones con el fin de llevar a cabo actividades similares.

4. El Ayuntamiento fomenta la reutilización de los bienes contemplados en el párrafo 2 anterior.

## Artículo 23

(Asistencia en la planificación)

1. El evento de la colaboración propuesta debe referirse a las acciones por o para la regeneración de los bienes comunes urbanos que el Ayuntamiento considere particularmente en el interés público y los recursos que los ciudadanos activos son capaces de movilizar a surgir la conveniencia, el pacto de cooperación puede proporcionar la dirección técnica de los empleados municipales a los ciudadanos en el diseño requerido la evaluación final y la puesta en práctica de la propuesta.

(Recursos financieros en concepto de reembolso de los gastos incurridos)

1. El Ayuntamiento contribuye, dentro de los límites de los recursos disponibles, la cobertura de los costes incurridos en la ejecución de las acciones de cuidado o regeneración de los comunes urbanos.

2. Cuando se definen las formas de apoyo, la administración reconoce las contribuciones de carácter financiero y únicamente en la medida en que las necesidades de los que están preordenados no se enfrentarán con apoyo en especie.

3. Salvo lo dispuesto en el apartado 7 de este artículo, no se puede pagar, directa o indirectamente, los pagos de cualquier tipo a las personas que se dedican a la atención compartida de los bienes comunes, de cara a estas actividades, que se llevó a cabo personalmente espontánea y el tito libre.

#### Artículo 25

(Autofinanciación)

#### Artículo 24

1. El Ayuntamiento facilita las iniciativas ciudadanas encaminadas a recaudar fondos para las acciones de cuidado o regeneración de bienes públicos urbanos, siempre que sea garantía máxima transparencia en la asignación de los recursos recaudados y su uso oportuno.

2. Pacto de cooperación podrá incluir:

a) la posibilidad de que los ciudadanos activos para usar en condiciones de favor, los espacios comunes para la organización de autofinanciación;

b) la capacidad para transmitir la imagen de cualquier donantes ciudadanos interesados;

c) el apoyo y el respaldo de la Ciudad de las iniciativas para difundir la recolección de donaciones a través del uso de plataformas electrónicas dedicadas.

3. Fomentar la auto-percepción de los recursos por parte de los ciudadanos-no actúa, en pacto de cooperación puede ser un mecanismo de compromiso variables de recursos para las acciones de atención municipal o la regeneración de las tierras comunales urbanos, aumentando el aumentar los recursos utilizados por los ciudadanos activos.

#### Artículo 26

### CAPÍTULO VII - La comunicación, la transparencia y la evaluación

(Las formas de reconocimiento a las acciones implementadas)

1. El pacto de cooperación, con el fin de dar visibilidad a las actividades realizadas por los ciudadanos activos en el interés público, podrá establecer y regular las formas de publicidad, como, por ejemplo, la instalación de señales de información, menciones especiales, espacios dedicados en herramientas de información.

2. Visibilidad concedida no puede en modo alguno constituir una forma de la contraprestación de las acciones emprendidas por los ciudadanos activos, que representan una mera manifestación de reconocimiento público del compromiso demostrado y una herramienta para estimular la difusión de las prácticas de cuidado compartido de los bienes comunes.

3. Municipio, con el fin de promover la difusión de la colaboración entre los ciudadanos y la administración para el tratamiento y la regeneración de los comunes urbanos facilitará el reconocimiento de los beneficios ofrecidos por particulares en favor de los ciudadanos activos tales concesiones, descuentos y similares.

(Gestión de instalaciones)

1. El pacto de cooperación puede proporcionar instalaciones de carácter procesal en relación con las obligaciones que los ciudadanos tienen el apoyo activo a la contención de los permisos

obtenidos, sin embargo denominados, instrumental a las acciones de cuidado o la regeneración de los bienes comunes o iniciativas urbanas promoción y la autofinanciación.

2. Facilitación puede incluir, en particular, la reducción del tiempo de la investigación, la simplificación de la documentación o identificación de formas innovadoras para el intercambio de información y documentación entre ciudadanos activos y oficinas municipales se requiera.

#### Artículo 28

(Comunicación de Colaboración)

#### Artículo 27

1. El Municipio con el fin de fomentar el afianzamiento progresivo de la colaboración con los ciudadanos, utilizando todos los canales de comunicación a su alcance para informar la oportunidad de participar en el tratamiento y la regeneración de los bienes comunes urbanos.

2. Municipio reconoce la red cívica es el lugar natural para establecer y hacer crecer las relaciones con y entre los ciudadanos.

3. La colaboración tiene como objetivo, en particular:

a) permitir a los ciudadanos para mejorar la información, enriqueciendo las diversas experiencias disponibles;

b) fomentar la consolidación de redes de relaciones entre grupos de ciudadanos, para promover el intercambio de experiencias y herramientas;

c) conocer el tema y las experiencias de atención y la regeneración de los bienes comunes, lo que facilita a los ciudadanos interesados en la identificación de situaciones en las que se activa.

4. Para alcanzar los objetivos mencionados en el párrafo anterior, el Ayuntamiento hace Disponible para los ciudadanos:

a) un conjunto de herramientas y canales para comunicar y hacer propuestas, como la red y el medio cívica ciudadana;

b) los datos, la infraestructura / plataformas digitales en un formato abierto;

c) la tutoría en el uso de herramientas de comunicación de colaboración, favoreciendo también las relaciones entre los grupos de autoayuda.

(Herramientas para facilitar la accesibilidad de las oportunidades para la colaboración)

1. Los gerentes, con respecto a las áreas de intervención y los principios establecidos por el presente Reglamento, definir y poner en conocimiento de los ciudadanos de los supuestos de colaboración típica, a ser identificado debido a su presunta frecuencia de mayo-día de la posibilidad de predefinir supuestos precisos, y con las condiciones de su proceso de activación de la investigación o la necesidad de proporcionar herramientas pueden ser fácilmente activadas en situaciones de emergencia.

#### Artículo 29

2. Municipio es responsable de la elaboración y difusión también por los manuales de usuario electrónicos para informar a los ciudadanos sobre las posibilidades de colaboración en el tratamiento y la regeneración de los bienes comunes, los procedimientos a seguir, las formas de apoyo disponibles.

(Reporte, la medición y evaluación de las actividades de colaboración)

1. La documentación de las actividades y el reporte de los recursos utilizados son una herramienta importante de comunicación con el público. A través de adecuada es posible la preparación y publicación de dichos documentos para dar visibilidad, asegurando la transparencia y hacer una evaluación de la eficacia de los resultados producidos por el compromiso conjunto de los ciudadanos y la administración.

2. Las modalidades de ejecución de la documentación y la presentación de informes se han acordado en el pacto de cooperación.

3. Presentación de informes sobre las actividades realizadas se adhiere a los siguientes principios generales regulan:

a) La claridad: la información debe tener un nivel de claridad, comprensión y accesibilidad al número adecuado de sujetos que informaron de que estaban destinados;

b) La comparación: el tipo de información y la forma de su representación ha de ser tal que permita una fácil comparación de temporal y la comparación con otras entidades con características similares y la industria;

c) Frecuencia: estados de cuenta deben ser atraídos a la expiración del acuerdo de cooperación en paralelo con la información financiera en el sentido estricto, sin perjuicio de la posibilidad de proporcionar, en el pacto de cooperación, los informes intermedios;

d) La verificabilidad: los procesos de recolección y procesamiento de los datos deben ser documentados de tal forma que sean objeto de un examen, verificación y revisión. Factores relativos a las áreas de informes individuales deben describirse con el fin de proporcionar información cuantitativa y cualitativa útil para la formulación de una opinión sobre el trabajo realizado.

4. Los informes deben contener información sobre:

a) Los objetivos, directrices y prioridades de acción; b) las acciones y los servicios prestados; c) los resultados obtenidos; d) los recursos disponibles y se utilizan.

5. En la preparación del documento final de datos cuantitativos deben mencionarse explícitamente-con la ayuda de gráficos y tablas, acompañado de una explicación que tiene-no una interpretación clara.

6. Municipio insta al público a utilizar las herramientas multimedia, fotos y cualquier cosa que pueda acompañar a la notificación de las decisiones inmediatas de lectura-ción y de fácil acceso.

7. Municipio se esforzará por prever la difusión efectiva de-ción de informes, poniendo los documentos a disposición de todos los ciudadanos a través de las herramientas identificadas mediante la participación de los ciudadanos, cuya publicación en red cívica, la organización de conferencias de prensa, convenciones, eventos dedicada y todas las demás formas de comunicación y difusión de los resultados.

8. Municipio y ciudadanos se comprometen a poner en práctica las técnicas para la medición cuantitativa de las externalidades positivas y negativas, directas e indirectas, tangibles e intangibles, así como los productos más amplias económicos, sociales, culturales y ambientales de las actividades de cooperación y colocar los resultados de la medición cuantitativa de la base de un proceso de evaluación para confirmar, modificar o terminar los aspectos o tipos de actividades de colaboración y la evaluación de los resultados de los responsables de su puesta en práctica en nombre de la administración en particular.

## CAPÍTULO VIII - Responsabilidades y supervisión

### Artículo 30

### Artículo 31

#### (Prevención de Riesgos)

1. Activos nacionales deben estar provistos, en base a las evaluaciones realizadas de bricolaje La información relativa a los riesgos específicos en los entornos en los que operan y el cuidado de la regeneración urbana de los bienes comunes y las medidas preventivas y las medidas de emergencia adoptadas o que se adoptarán.
2. Se requiere ciudadanos activos de utilizar correctamente los dispositivos de protección individual que sobre la base de la evaluación del riesgo, el Ayuntamiento lo considere apropiado y que cumple con los requisitos contenidos en los documentos para la evaluación de riesgos.
3. Refiriéndose a las intervenciones de la atención o la regeneración que implica un funcionamiento más ciudadanos activos, se encuentra que un supervisor es responsable de verificar el cumplimiento de lo dispuesto en el anterior párrafo-2, así como el modo de acción esbozado en el pacto de colaboración.
4. El pacto de cooperación disciplinar a cualquier cobertura de seguro privado de accidentes y de responsabilidad civil a terceros relacionados con el desempeño de la atención de los bienes comunes, de conformidad con las disposiciones de la ley y, en todo caso, de acuerdo con criterios adecuación a las características específicas de la actividad realizada.
5. Consejo puede facilitar el seguro de los ciudadanos activos mediante la firma de acuerdos marco con la industria de seguros que ven la oportunidad de comprobar la validez de activar las cubiertas bajo pedido, condiciones y facilita el modo de bricolaje con flexible y personalizada.

#### (Disposiciones sobre la asignación de responsabilidades)

1. El pacto de la cooperación y la disciplina de una manera oportuna indica las tareas de cuidado y regeneración de los bienes comunes urbanos acordados entre la administración y los ciudadanos y las responsabilidades relacionadas.
2. Los ciudadanos activos que colaboran con la administración para el cuidado y la regeneración de los bienes comunes urbanos responsable de cualquier daño causado por negligencia o dolo, a personas o propiedad en el desempeño de su negocio.
3. Los ciudadanos activos que colaboran con la administración para el cuidado y regeneración de toma urbana sobre los bienes comunes, de conformidad con el art. 2051 del Código Civil, la calidad de los depositarios de los bienes, después de haber levantado e indemnizar a la administración municipal frente a cualquier reclamación en este sentido.

## CAPÍTULO IX - Disposiciones finales y transitorias

### Artículo 34

#### (Cláusulas interpretación)

### Artículo 32

1. La finalidad de facilitar la colaboración entre el gobierno y los ciudadanos, las disposiciones del presente Reglamento debe interpretarse y aplicarse en el sentido más favorable a la

posibilidad de que los ciudadanos contribuyan al cuidado y la regeneración de los bienes comunes urbanos.

2. La aplicación de estas disposiciones es funcional a la colaboración eficaz con los ciudadanos activos con la condición de que las personas llamadas a nombre de-terpretarle del Ayuntamiento para el ejercicio de las responsabilidades de su cargo con un espíritu de servicio a la comunidad y que esta propensión es riscon - entrada en la evaluación.

#### Artículo 35

(Experimentación)

1. Las disposiciones del presente Reglamento estarán sujetos a un período de prueba de un año.

2. Durante el período experimental, la Ciudad hará un seguimiento, con la participación de una ciudadanía activa, la aplicación del presente Reglamento, a fin de evaluar la necesidad de tomar medidas correctivas.

#### Artículo 33

(Conciliación Intento)

#### Artículo 36

(Disposiciones transitorias)

1. El caso de una controversia entre las partes en el acuerdo de cooperación o entre éstas y terceros puede ser un intento de conciliación ante un comité compuesto por tres miembros, uno designado por los ciudadanos activos, una administración y una por mutuo acuerdo o, en el caso de los litigios relativos a terceras personas, por par-te de este último.

2. El Comité de Conciliación, dentro de los treinta días a partir de la instancia, las partes presentarán una propuesta de resolución de carácter no vinculante.

1. Las experiencias de colaboración ya en curso en la fecha de entrada en vigor del Reglamento se registrarán por los términos de la cooperación, de acuerdo con estas disposiciones.