COUNCIL OF EUROPE

CONSEIL DE L'EUROPE

Strasbourg, 14 December 2017 CDDG(2017)29 FINAL

EUROPEAN COMMITTEE ON DEMOCRACY AND GOVERNANCE (CDDG)

ABRIDGED REPORT OF THE 8th MEETING
4-5 December 2017

1. Opening of the meeting and adoption of the agenda

The meeting was opened by the Chair, Mr Paul Rowsell, who welcomed the participants. He extended a particular welcome to:

- Mrs Snežana Samardžić-Marković, Director General of Democracy;
- Mr Damjan Manchevski Minister for Information Society and Administration, "the former Yugoslav Republic of Macedonia";
- Dr Nejc Brezovar, Deputy Minister, Ministry of Public Administration, Slovenia;
- Prof. Georg Milbradt, Special Envoy for Decentralisation in Ukraine and Mr Kostyantyn Vashchenko, Head of the National Agency of Civil Service; as well as
- Mr Joaquim Oliveira Martins, Deputy Director, Centre for Entrepreneurship, SMEs, Local Development and Tourism and Ms Isabelle Chatry from the Organisation for Economic Cooperation and Development (OECD).

The list of participants is set out in Appendix I.

The Committee adopted its agenda as it appears in Appendix II.

Mrs Snežana Samardžić-Marković, Director General of Democracy, expressed her appreciation for the Ministers' and other high-level representatives' presence and input to the thematic exchanges. It exemplified the spirit of cooperation that would allow the Council of Europe and its member States to enhance democratic security and strengthen democratic institutions.

She paid tribute to the achievements of the CDDG, in particular the revision of Recommendation Rec(2001)19 on the participation of citizens in local public life and the Guidelines for civil participation in political decision-making. These had been very well received by a wide range of stakeholders and member States. She underlined the need for courageous action and innovation to safeguard the legitimacy of democratic institutions through continued promotion of the Twelve Principles of Good Governance and civil participation at all levels as well as a forward looking and energetic approach in the execution of the CDDG's new and challenging Terms of Reference.

She further informed the delegations of the budgetary context and constraints that compounded the challenges and thanked them for the continued support and efforts in dealing with and overcoming the difficulties that presented themselves.

2. Promoting democratic governance through shared experience

2.1 Administrative and local government reforms

Mr Damjan Manchevski, Minister for Information Society and Administration, "the former Yugoslav Republic of Macedonia" presented the Public Administration Reforms and Strategy in his country which aimed at effective, efficient and inclusive policies; building a professional administration; responsible accountable and transparent institutions; and simple, fast and easily accessible services.

It required inclusive and transparent decision-making, opening up the policy making processes and strengthening participation. While it required more time, improved communication with those concerned led to improved understanding of people's needs, better decisions and greater acceptance by and support from the public. It also facilitated policy implementation.

The Minister further illustrated the need for effective and thoughtful use of ICT, presenting a number of examples such as the implementation of the Electronic National Registry of Citizens which would constitute the basis for the development of further e-services.

Dr Nejc Brezovar, Deputy Minister, Ministry of Public Administration (Slovenia) presented the recent developments in the Strategy on Development of Local Self-Government 2020 and the impact of the Peer Review on the Strategy organised in July in cooperation with the CDDG and the Centre of Expertise.

He presented key findings from the peer review report. The report not only provided an impetus to developing Local Self-Government and the adoption of key legislation in relation to elections, municipality financing and transparency in legislative decision-making at local level but constituted the basis for long-term political and administrative reforms and for future governments. He further thanked the member States who had contributed to the peer review.

Exchanges between a number of delegations and the Ministers included issues such as the impact and challenges of e-governance and e-services solutions, the significance of inter-institutional dialogue, proper public debate, communication with all stakeholders, inclusion and representation of national minorities and wide-ranging political consensus, as well as the specific advantages offered by peer reviews.

Presentations by the ministers are available on the CDDG website.

Decentralisation and Civil Service Reform in Ukraine and the Council of Europe

Prof. Georg Milbradt, Special Envoy for Decentralisation in Ukraine, presented the current state of affairs concerning the on-going decentralisation and territorial reforms in Ukraine as well as the associated challenges and measures in moving the reform process forward.

Since 2015, the amalgamation process on voluntary basis, has made steady progress. More rayons were now fully covered by amalgamated territorial hromadas, increasing the number of hromadas to 665 from 159, including 3118 original municipalities (795 in 2015). However, the average size of the new hromadas was still relatively small denying full benefits of economy of scale.

Resistance by individual municipalities to further amalgamation slowed the process; decisive measures to speed up the process might be needed to bring it to a successful close. While decentralisation benefits from widespread support and led to visible improvements on the ground, resistance against other reform measures was likely to increase if the reforms were not concluded within a reasonable time-frame.

Further progress was desired in a range of areas. These included constitutional amendments to guarantee local self-government, further measures regarding financial grants to amalgamated communities, strengthening supervision and financial reporting, reforming local civil service.

Mr Milbradt thanked the Committee and member States for their extensive assistance so far and underlined the continued need for support by the international community and the Council of Europe in particular.

Mr Kostyantyn Vashchenko, Head of the National Agency of Civil Service, presented the wide range of initiatives in the on-going reform to build a transparent merit- and competency based civil service, with new remuneration models, providing opportunities for carrier development and lifelong training. He informed that the new Concept of Reforming the Professional Training System of Civil Servants, Local Self-Government Officials and Local Councillors was approved last week. According to the Concept, the training providers' market will be opened and competitive, an accreditation mechanism will be established, a percentage of the wage roll will be earmarked for training, and the training needs will be identified for each civil servant.

The speakers thanked the Council of Europe and member States for their continued support and extensive expertise so far.

The Congress Secretariat presented the outcome of a recent high-level visit to Ukraine in the context of the monitoring in 2018 of the implementation of the European Charter of Local Self-Government.

2.2 Action by International Organisations

Mr Joaquim Oliveira Martins, Deputy Director, Centre for Entrepreneurship, SMEs, Local Development and Tourism (OECD) presented the potential of place-based policies on the basis of the work by OECD's Regional Development Policy Committee. Recognising spatial differentiation and specificities and trying to optimise and capitalise on the specific assets and territorial advantages of regions, this could contribute significantly to address disparities and inequalities in regional development of urban and rural areas.

Requiring significant effort and investment in governance and strong coordination, harmonisation at all levels of governance and across sectors to ensure consistent and coherent policies it could assist in resolving the (perceived) tension between, for example, efficiency and inequality or still, economic priorities and the environment. He briefly presented the new OECD Observatory on Local Finances to which the Council of Europe was associated. He welcomed further cooperation between the CDDG and the OECD's Committee on Regional Development.

OECD tools available to develop appropriate policies and strategies included the OECD's recent Recommendation on Public Investment across Levels of Government, territorial reviews as well as multi-level governance reviews.

Various presentations are available on the CDDG website.

3. Decisions by the Committee of Ministers of relevance to the work of the CDDG

The Committee noted the Committee of Ministers' decisions and the request for possible comments in relation to Congress Recommendation 405 (2017) – "Making public procurement transparent at local and regional levels" and Recommendation 406 (2017) – "A better future for Europe's rural areas" by 20 December 2017.

Having examined the draft comments set out in document CDDG(2017)25, the CDDG requested the Secretariat to finalise the comments for transmission to the Committee of Ministers on the basis of the observations presented by the members.

The comments by the CDDG to the Committee of Ministers are set out in Appendix III.

4. State of implementation of the CDDG activities according to its terms of reference 2016-2017

4.1 Revision of Committee of Ministers' Recommendation Rec(2001)19 on the participation of citizens in local public life

The CDDG examined the revised recommendation on the participation of citizens in local public life as well as the accompanying explanatory report.

Members commended the working group for the quality of the texts. The Committee adopted the revised recommendation and the explanatory report as presented in Appendix IV and V.

4.2 Strategy for Innovation and Good Governance

- Report on the meeting of the European Stakeholders' Platform (6 September 2017, Strasbourg)

The Committee took note of the information presented in relation to application of the regulations governing the implementation of the European Label of Governance Excellence (ELoGE) as well as of the meeting report by the European Stakeholders' Platform.

It agreed that the European Stakeholders' Platform should proceed with a review of the Regulations and Rules of procedure for awarding ELoGE based on the experience to date and to submit possible suggestions for consideration by the CDDG and transmission to the Committee of Ministers as required.

- The Twelve Principles of Good Democratic Governance: Social discontent, public administration and public perception – the experience in the Netherlands

Mr Thomas Zandstra, deputy chief strategist from the Ministry of Interior of the Netherlands, presented their recent paper on social discontent. It outlined the implications for public administration and discussed the need to redefine the dialogue between the administration and society in five key areas including: reliability and credibility,) responsiveness, performance, empathy and cohesiveness. The Council of Europe's 12 principles of good governance would greatly contribute to this.

In the lively discussion which ensued, members thanked the delegation for the interesting and important presentation. The presentation underlined the need to promote and apply the 12 Principles of good democratic governance so as to command the confidence of the public and strengthen the effective capabilities to deliver good governance. The Committee agreed to take these findings into consideration in its further work.

- Implementation in member States

At the CDDG meeting in May, member States were requested to present information at the December meeting on the implementation of the Twelve Principles in practice and on how the concept of the Principles is reflected in policies, reforms and initiatives in their State at all levels of government. The responses of eighteen member States allowed identifying trends: Seven of the twelve Principles are of particular interest in member states' reforms and policies: Principle 1: Fair Conduct of Elections, Representation and Participation, Principle 3: Efficiency and Effectiveness, Principle 4: Openness and Transparency, Principle 7: Competence and Capacity, Principle 8: Innovation and Openness to Change, Principle 10: Sound Financial Management, Principle 12: Accountability.

The Committee agreed to take information on the use of the Twelve Principles in member States into consideration when implementing its work programme for 2018-2019 in the fields of supervision of local authorities' action, participation, public ethics, e-democracy.

4.3 Democratic Governance of Metropolitan Areas

Seminar on Democratic Governance in Metropolitan Areas (Thessaloniki, 17-18 October 2017): Report

Members who had attended the seminar thanked the Greek authorities for hosting the event and expressed their appreciation for the welcome and quality of the organisation as well as of the presentations by the participants. The discussions and findings of the seminar had been very interesting and helpful and had led to further bilateral contacts and exchanges and follow-up between participants since.

The CDDG decided to authorise the Secretariat to take forward the preparation of the seminar report as proposed, including key issues and lessons learnt and identifying areas for further action that would be of assistance to member States. The report should be circulated to all member States and participants and the Bureau might wish to formulate suggestions as regards activities that could be brought forward in the course of 2019, involving as appropriate partners such as the OECD or the Council of European Municipalities and Regions.

The Slovak delegation asked CDDG representatives to provide, if possible, documentation and legislation concerning the legal status of capital cities as this was an area which they were currently examining.

4.4 Cross-Border Cooperation

- Update of the EDEN Database: presentation by Mr Daniele del Bianco, Institute of International Sociology of Gorizia (ISIG)

The members heard a presentation by Mr Daniele Del Bianco, Director of ISIG, which was responsible for the management of the EDEN database. They welcomed the new version of EDEN which was much more userfriendly. The Secretariat would send out shortly a questionnaire to member States inviting them to provide up-to-date information for inclusion in EDEN.

The Committee members agreed to check the EDEN database every six months for updating and to inform the Council of Europe of any amendment needed. The Centre of expertise promised to inform the members concerned about changes concerning their countries. They further agreed to link EDEN with other websites and databases on cross-border cooperation such as that of the Transfrontier operational mission (MOT) in France and, if possible, other appropriate databases in this field for example at the level of the Benelux.

Discussing its Terms of Reference and cross-border cooperation, the Committee recognised that this was covered not only under the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities, but that matters such as participation and ethics had significant implications also in this field, a key element of which was necessarily good governance.

4.5 CDDG activities in 2016-2017: Report to the Committee of Ministers

The Committee examined the draft report, prepared by the Secretariat at the request of the Bureau, with a view to informing the Committee of Ministers about the outputs and outcomes delivered by the CDDG in response to its terms of reference for the period 2016-2017.

It instructed the Secretariat to prepare the final report as instructed by the CDDG and to circulate it to the members for final approval before transmission to the Committee of Ministers via the Chair.

5. CDDG Terms of Reference

New Terms of Reference 2018-2019

The Committee took note of the new Terms of Reference of the CDDG for the biennium 2018-2019. The fact that one single plenary meeting per year only, lasting 3 days, was now foreseen rather than two would entail changes in the way its activities would be structured.

As regards items (i), (iii) and (iv) of the section Specific Tasks, the CDDG decided to set up working groups that would deal with, respectively, the tasks of:

- revising of Committee of Ministers' Recommendation Rec(98)12 on the supervision of local authorities' action;
- public ethics; and
- e-democracy.

The dates for the working group meetings are set out in Appendix VI. The number of members entitled to reimbursement would be limited to five per working groups, and member States were encouraged to send additional representatives at their own expenses.

The working groups' activities would be structured as outlined in document CDDG(2017)22 taking into account the suggestions made by the members of the Committee. It recalled the importance of completing the tasks entrusted to the Committee by the end of the relevant terms of reference (*i.e.* 31 December 2019).

Member States should signal their interest in joining one or more of the working groups as soon as possible to the Secretariat and communicate the name of the member or expert to be appointed by the member State before the end of the year.

The Secretariat would produce criteria to decide which expert would be covered from the Council of Europe budget in case more than five member States required reimbursement of expenses. The members of the working groups who are to be reimbursed would be finalised in consultation with the CDDG Bureau.

6. Developing tools on good democratic governance and supporting reforms

Centre of Expertise for Local Government Reform

The Committee took note of the draft activity report and the Strategic Plan 2017-2022 of the Centre and of the presentation by the Head of the Centre of Expertise, Ms Alina Tatarenko. She highlighted the major thematic activities underway in different member states, focussing in particular on the progress in the implementation of the Twelve Principle through the European Label of Governance excellence (ELoGE) and the updating of existing toolkits, notably the Public Ethics Toolkit and the Leadership Academy Programme and the development of new ones on Civil Participation and amalgamation respectively.

She also highlighted some country specific projects of the Centre in, for example, Albania, Armenia, Cyprus, Greece, Serbia and Ukraine and reminded delegates that the majority of the Centre's projects were funded by voluntary contributions or EU programmes.

Several member States emphasised the importance of the Centre's contributions to important reforms of decentralisation and public administration.

7. Chairmanship of the Committee of Ministers

7.1 Activities implemented under the Chairmanship of the Czech Republic (19 May – 15 November 2017)

The Czech delegate presented the activities and achievements during the Czech Chairmanship of the Committee of Ministers and recalled the International conference on "Quality of Public Administration at Local and Regional Level" organised by the Ministry of Interior on 20-21 September 2017 in Prague. He also recalled the Meeting of the Bureau of the Congress and the Conference on the "Binding effect of judicial decisions" (held in Brno on respectively 15-16 June and 19-21 June 2017).

7.2 Priorities of the Chairmanship of Denmark (15 November 2017 - 18 May 2018)

The Danish delegate presented the priorities of the Danish Chairmanship as well as a brief overview of scheduled activities and events scheduled.

Under the theme of "Europe in a time of unrest and upheaval – strong values and a future-proof Council of Europe", two focal areas were of particular interest for the work of the CDDG:

- Equal opportunities;
- Involvement of children and young people in democracy.

The Conference on the discussion of gender equality (January 2018) and the Seminar on "Democratic culture – from words to action" (Copenhagen, 23–24 April 2018) might be of particular interest to the Committee.

The other priorities of the chairmanship were: The European human rights system in a future Europe; Changing attitudes and prejudices about persons with disabilities; and Combating torture.

8. Election of the Chair, Vice-Chair and four members of the Bureau

The Committee elected its bureau as follows: Mr Peter Andre (Austria), Chair, for one year; Mr Francesco Giustino (Italy), Vice-Chair, for one year; Bureau members elected for two years: Mr Damien Feraille (France), Ms Milica Marković (Serbia), Mr Paul Rowsell (UK), Ms Stefanía Traustadóttir (Iceland); Mr Georgios Chrysafis (Greece) stays in the Bureau for one more year for the second part of his two year term.

9. Other business

- *Information about other Council of Europe bodies*

The CDDG took note of the information presented in document CDDG(2017)26 and its addendum as well as of the presentations by the rapporteurs on Gender Equality, Children's Rights and Social Cohesion on possible areas for synergies with activities of other Council of Europe bodies.

The Committee agreed to take into account these transversal aspects in the context of its work under the new Terms of Reference 2018-2019 in cooperation with the respective Administrative Entities of the Council of Europe.

The Committee decided to renew the mandates of:
Mr Edwin Lefebre (Belgium) as Gender Equality Rapporteur;
Ms Laurence Gindt (Belgium) as rapporteur on Children's Rights.

It further invited members that might be interested in contributing to the Committee's work as Gender Equality Rapporteur, as Rapporteur on Participation or as Rapporteur on E-voting to contact the Secretariat by the end of the year.

Mr Edwin Lefebre would also continue his activities as CDDG representative to the European Social Cohesion Platform.

The Parliamentary Assembly of the Council of Europe

Ms. Milica Markovic (Bosnia-Herzegovina), member of the Parliamentary Assembly of the Council of Europe and member of the Sub-Committee on Public Health and Sustainable Development, presented a detailed overview of the work of the Assembly in the areas of Democracy and Governance.

Recalling the report presented in the past on the impact of the financial and economic crisis on local and regional government, she drew attention to issues of currently under discussion such as the role of national authorities in decentralisation and territorial reforms and the report scheduled on sustainable urban development and social cohesion which were of particular significance to the CDDG.

Given the synergies between the work of both the Parliamentary Assembly and the Committee, including in relation to the Twelve Principles of Good Governance, the Committee stated that it would continue to contribute to and support whenever possible the work of the Parliamentary Assembly of the Council of Europe.

World Forum for Democracy

Ms Claudia Luciani, Director of Democratic Governance and Anti-discrimination, presented the most relevant results for the CDDG of 6th edition of the World Forum for Democracy (Strasbourg, 8-10 November 2017) on the theme “Is Populism a problem?”.

The Forum examined various developments and questions surrounding this issue and associated or potential responses to the phenomenon. (See Appendix VII) This included the emergence of potential new forms of democratic practice the implementation of which would need to be in line with general principles of democracy. In the same vein as it had elaborated guidelines for civil participation in political decision-making, the CDDG could contribute to this also, for example in respect of e-democracy under its new terms of reference.

She further informed the members that the theme of new year’s Forum (19-21 November 2018) would be “Citizenship on the move” and the CDDG will receive additional information as soon as possible to allow member States to suggest possible contributions to the CDDG Bureau at its first meeting in 2018.

The Chair informed the members that he had acted as moderator for a Lab on “Making votes count more”. He presented examples of different concepts in relation to voting and the possible impact on voter turnout discussed.

Report of the Bureau meeting

The CDDG took note of the information presented on the meeting of the Bureau on 20 October in Paris as set out in document CDDG-Bu(2017)16.

Recent developments in member States

A number of delegations informed the CDDG of recent reforms or other developments in their country:

The Estonian delegation informed members that elections had concluded the process of local government reform. As regards the changes to the Local Government Act, the government had relied on input by CDDG peers from selected countries.

The member for Switzerland informed the CDDG of the ratification by the Swiss Parliament of the Additional Protocol to the European Charter of Local Self-Government on the right to participate in the affairs of a local authority.

The member for Finland informed on reforms underway and the introduction of a new level of regional administration with a total of 18 new regions foreseen.

The Icelandic member informed members that the working group on the status and future of Icelandic municipalities would soon be presenting its findings. The government would need to give practical follow-up for example by way of legislation on the required number of inhabitants per municipality.

The representative for Brussels Capital-Region (Belgium) informed the members on the new rules on ethics adopted the Friday prior to the meeting and the measures underway in relation to transparency. Some aspects did not only concern public authorities but also government funded organisations and bodies. An Ethics Committee would also be established that could be seized by parliamentarians and the public alike.

10. Date of the next meeting

The next plenary meeting of the CDDG would be held on 28-30 November 2018.

APPENDIX I

LIST OF PARTICIPANTS

MEMBERS / MEMBRES

CHAIRMAN / PRESIDENT

Mr Paul ROWSELL, Deputy Director, Democracy, Department for Communities and Local Government

ANDORRA / ANDORRE

Mme Florència ALEIX, Desk Officer, Département des affaires multilatérales, Ministère des Affaires Etrangères

ARMENIA / ARMENIE

Mr Vache TERTERYAN, First Deputy Minister of Territorial Administration and Development

AUSTRIA / AUTRICHE

Mr Peter ANDRE, Ministry of Interior, Expert for Legal Affairs

Mag. Stefan GÖLLER, BA, Amt der Wiener Landesregierung

AZERBAIJAN / AZERBAÏDJAN

Mr Fakhraddin ISMAYILOV, Head of the Human Rights and Democracy Department, Ministry of Foreign Affairs

BELGIUM / BELGIQUE

Mme Laurence GINDT, Service public de Wallonie, DGO 5 Pouvoirs Locaux et Action sociale, Direction de la Prospective et du Développement des Pouvoirs locaux, Région Wallone

M. Paul-Henri PHILIPS, Coordinateur pour les Organisations Internationales, Relations multilatérales et Organisations Internationales, Région Bruxelles-Capitale

Mr Edwin LEFEBRE, Deputy of the Director, Ministry of Internal Affairs of the Flemish Region, Agency for Home Affairs, Flemish Region

BOSNIA AND HERZEGOVINA / BOSNIE-HERZEGOVINE

Ambassador Almir ŠAHOVIĆ, Assistant Minister for Multilateral Affairs, Ministry of Foreign Affairs of Bosnia and Herzegovina

BULGARIA / BULGARIE

Mr Valery NAIDENOV, Head of Department “Administrative-territorial Structure”, Directorate “Spatial Development and Administrative-territorial Structure”, Ministry of Regional Development and Public Works

Mr Mihail VASILEV, State Expert, Department “Administrative-territorial Structure”, Directorate “Spatial Development and Administrative-territorial Structure”, Ministry of Regional Development and Public Works

CYPRUS / CHYPRE

Apologised for absence / excuse

CZECH REPUBLIC / REPUBLIQUE TCHEQUE

Mr Petr FEJTEK, Department for Strategic Development and Coordination of Public Administration, Ministry of Interior of the Czech Republic

DENMARK / DANEMARK

Mr Henrik Villum JENSEN, Ministry of Economic Affairs and the Interior

ESTONIA / ESTONIE

Mr Kaur KAASIK-AASLAV, Adviser to the Regional Administration Department, Ministry of Finance

FINLAND / FINLANDE

Mr Markku MÖLLÄRI, Ministerial adviser, Department for Local Affairs and Regional Administration, Ministry of Finance

FRANCE

M. Damien FERAILLE, Bureau des structures territoriales, Direction Générale des Collectivités locales, Ministère de l'Intérieur

GEORGIA / GEORGIE

Mr Revaz KAKULIA, Head of Department of European Integration and Reforms Assistance, Ministry of Regional Development and Infrastructure

GERMANY / ALLEMAGNE

Mrs Kristina SCHADE, Division O2, Better regulation, bureaucracy reduction; Act on E-Government; local matters, Federal Ministry of the Interior

Mrs Gabriele STELLMACHER, Representative of the „Laender“ (States), Ministry of Interior and Sports of Lower Saxony, Department for Local Government Affairs

GREECE / GRECE

Mr Georgios CHRYSAFIS, Directorate of Organisation and Functionning of Local Government, Ministry of the Interior

HUNGARY / HONGRIE

Apologised for absence / excusé

ICELAND / ISLANDE

Mrs Stefanía TRAUSTADÓTTIR, Senior Advisor, Local Government, Department of Local Government and Regional Policy, Ministry of Transport and Local Government

Mr Ólafur Kr. HJÖRLEIFSSON, Legal Advisor, Department of Local Government and Regional Policy, Ministry of Transport and Local Government

IRELAND / IRLANDE

Mr Denis CONLAN, Head of Local Government Development, Department of Housing, Planning, and Local Government

ITALY / ITALIE

Mr Francesco GIUSTINO, Presidenza del Consiglio dei Ministri, Ufficio Attività Internazionali

LATVIA / LETTONIE

Ms Agnese PABERZA DRAUDINA, senior expert, Local Governments Department, Local Governments Supervision Division, Ministry of Environmental Protection and Regional Development

Mrs Fatma FRIDENBERGA, Riga City Council Legal Office

LITHUANIA / LITUANIE

Mr Paulius SKARDŽIUS, Director of Public Governance Policy Department, Ministry of the Interior

MALTA / MALTE

Apologised for absence / excusé

REPUBLIC OF MOLDOVA / REPUBLIQUE DE MOLDOVA

Mme Victoria CUJBA, Chef, Direction des politiques de décentralisation, Chancellerie d'Etat

MONTENEGRO

Ms Zorana POPOVIC, Senior Adviser, Directorate for Local Self-Government, Ministry of Public Administration

NETHERLANDS / PAYS-BAS

Mr Jan Willem KOOISTRA, Deputy Head Section Democracy, Democracy and Citizenship Department, Ministry of the Interior and Kingdom Relations

Mr Thomas ZANDSTRA, Deputy Chief Strategist, Ministry of the Interior and Kingdom Relations

NORWAY / NORVEGE

Mrs Siri HALVORSEN, Director, Department for Local Government, Ministry of Local Government and Modernisation

Mrs Nina Britt BERGE, Senior Adviser, Department for Local Government, Ministry of Local Government and Modernisation

POLAND / POLOGNE

Mrs Monika STURLIS-GUMIENICZEK, Chief Specialist, Department of Public Administration, Ministry of the Interior and Administration

PORTUGAL

Mr Jorge Abreu SIMÕES, Senior Adviser in the General Directorate for Local Authorities, Direcção-Geral das Autarquias Locais

ROMANIA / ROUMANIE

Mr Mihai Adrian GROSAN, Chief of service, Ministry of Regional Development, Public Administration and European Founds, Directorate General of Public Administration, Romanian Government

RUSSIAN FEDERATION / FEDERATION DE RUSSIE

Mr Igor KOCHETKOV, Head of the Division of the Department for Liaisons with the Subjects of the Federation, the Parliament, and the Public Associations of the Russian Ministry of Foreign Affairs

SAN MARINO / SAINT-MARIN

Apologised for absence / excusé

SERBIA / SERBIE

Mrs Milica MARKOVIĆ, Senior Advisor, Improvement of work of administration in Local Self-government units, Ministry of Public Administration and Local Self-government

SLOVAK REPUBLIC / REPUBLIQUE SLOVAQUE

Mrs Monika FILIPOVÁ, Director a.i., Local State Administration, Self-Government and Foreign Affairs Department, Public Administration Section, Ministry of Interior of the Slovak Republic

SLOVENIA / SLOVENIE

Mr Nejc BREZOVAR, Deputy Minister of Public Administration

Mr Jurij MEZEK, Senior Adviser, Office for Local Self-Government, Ministry of Public Administration

SPAIN / ESPAGNE

Mrs María PUIG PÉREZ, Senior Advisor, Deputy Directorate for European and International Relations, Directorate General of Regional and Local Coordination, Ministry of the Presidency and for Territorial Administrations

SWEDEN / SUEDE

Ms Maria ANTONSSON, Desk Officer, Ministry of Finance, Department of Public Administration, Local Government Division

SWITZERLAND / SUISSE

M. Bertrand BISE, Juriste & Economiste, Département fédéral de justice et police DFJP, Office fédéral de la justice OFJ, Domaine de direction Droit public, Unité Projets et méthode législatifs

''THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA'' / "L'EX-REPUBLIQUE YOUGOSLAVE DE MACEDOINE"

Mr Damjan MANCHEVSKI, Minister for information society and administration

Ms Gordana GAPIKJ-DIMITROVSKA, Head of Unit in the Ministry of Information Society and Administration

TURKEY / TURQUIE

Mr Sertac SEZGIN, Controller of Municipalities, Ministry of Interior

Mr Mevlana KURKCU, Controller of Municipalities, Ministry of Interior

UKRAINE

Mrs Elena KOTLYAROVA, Head of Expert Group on Cooperation, with EU institutions and international, technical assistance, Department of Local Self-Government and Territorial Organisation of Power, Ministry of Regional Development, Building and Housing of Ukraine

Mr Kostiantyn VASHCHENKO, Head of the National Agency of Ukraine on Civil Service

UNITED KINGDOM / ROYAUME-UNI

Dr Mark EWBANK, Senior Policy Adviser, Governance Reform and Democracy Unit, Department for Communities and Local Government

PARTICIPANTS

PARLIAMENTARY ASSEMBLY / ASSEMBLEE PARLEMENTAIRE

Ms Milica MARKOVIĆ, Deputy, Parliament of Bosnia and Herzegovina, Member of the Committee on Social Affairs, Health and Sustainable Development

Mrs Maren LAMBRECHT-FEIGL, Secretary to the Committee on Social Affairs, Health and Sustainable Development

CONGRESS OF LOCAL AND REGIONAL AUTHORITIES OF THE COUNCIL OF EUROPE / CONGRES DES POUVOIRS LOCAUX ET REGIONAUX DU CONSEIL DE L'EUROPE

Mr Tim LISNEY, Deputy Secretary of the Chamber of Local Authorities / Secrétaire adjoint de la Chambre des pouvoirs locaux – Secretary of the Governance Committee / Secrétaire de la Commission de la gouvernance

Ms Svitlana PEREVERTEN

Ms Ségolène TAVEL

Ms Julia BOROWSKA

CONFERENCE OF INGOS OF THE COUNCIL OF EUROPE / CONFERENCE DES OING DU CONSEIL DE L'EUROPE

Mr Gerhard ERMISCHER, CIVILSCAPE, Representative of the INGOs Conference to the CDDG, ASCHAFFENBURG, Germany

OTHER PARTICIPANTS / AUTRES PARTICIPANTS

EUROPEAN UNION / UNION EUROPEENNE

Ms Angeliki VOTSOGLOU, Policy advisor, SRSS Brussels office

Ms Adamantia MANTA, Policy advisor, SRSS Athens office

HOLY-SEE / SAINT-SIEGE

Mgr John, Baptist Itaruma, Observateur Permanent Adjoint du Saint-Siège auprès du Conseil de l'Europe

BENELUX UNION/UNION BENELUX

Apologised for absence / excusé

OBSERVERS / OBSERVATEURS

ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT (OECD) / ORGANISATION DE COOPERATION ET DE DEVELOPPEMENT ECONOMIQUES (OCDE)

Mr Joaquim Oliveira Martins, Deputy Director, Centre for Entrepreneurship, SMEs, Local Development and Tourism, Regional Development Policy

Mme Isabelle CHATRY, Chef de Projet, Finances infranationales et Réformes territoriales, Division des politiques de développement régional (RDP), Direction de la gouvernance publique et du développement territorial (GOV)

COUNCIL OF EUROPEAN MUNICIPALITIES AND REGIONS (CEMR) / CONSEIL DES COMMUNES ET REGIONS D'EUROPE (CCRE)

M. Carlos MASCARELL VILAR, chargé de mission – gouvernance et citoyenneté

EUROPEAN COUNCIL OF SPATIAL PLANNERS / CONSEIL EUROPEEN DES URBANISTES (ECTP-CEU)

Apologised for absence / excusé

SPECIAL ENVOY FOR THE UKRAINIAN REFORM AGENDA (GOOD GOVERNANCE, DECENTRALIZATION, CIVIL SERVICE)

Mr Georg MILBRADT, Special Envoy for the Ukrainian reform agenda (good governance, decentralization, civil service)

CONSULTANTS EXPERTS / EXPERTS CONSULTANTS

Mr Daniele DEL BIANCO, Director of ISIG, Institute of International Sociology, Gorizia, Italy

SECRETARIAT

Mrs Snežana SAMARDŽIĆ-MARKOVIĆ, Director General of Democracy (DG II) / Directrice Générale de la Démocratie (DG II)

Ms Claudia LUCIANI, Director of Democratic Governance and Anti-Discrimination / Directrice de la gouvernance démocratique et de l'anti-discrimination/ Directorate General of Democracy / Direction générale de la démocratie

Mr Daniel POPESCU, Head of Democratic Governance Department / Chef du Service de la gouvernance démocratique - Directorate of Democratic Governance and Anti-Discrimination / Direction de la gouvernance démocratique et de l'anti-discrimination, Directorate General of Democracy / Direction générale de la démocratie

Mrs Jutta GÜTZKOW, Head of Good Governance Division / Chef de la Division de la bonne gouvernance – Secretary of the CDDG / Secrétaire du CDDG - Directorate of Democratic Governance and Anti-Discrimination / Direction de la gouvernance démocratique et de l'anti-discrimination, Directorate General of Democracy / Direction générale de la démocratie

Mr Theo WELS, Administrator / Administrateur – Good Governance Division / Division de la bonne gouvernance - Directorate of Democratic Governance and Anti-Discrimination / Direction de la gouvernance démocratique et de l'anti-discrimination, Directorate General of Democracy / Direction générale de la démocratie

Mrs Alina TATARENKO, Head of the Centre of Expertise for Local Government Reform / Chef du Centre d'expertise sur la réforme de l'administration locale - Good Governance Division / Division de la bonne gouvernance - Directorate of Democratic Governance and Anti-Discrimination / Direction de la gouvernance démocratique et de l'anti-discrimination, Directorate General of Democracy / Direction générale de la démocratie

Mme Isabelle ETTER - Assistant / Assistante

APPENDIX II

AGENDA

1.	Opening of the meeting and adoption of the agenda	[CDDG(2017)OJ2 rev.]	For adoption
2.	Promoting democratic governance through shared experience		
2.1	*Administrative and local government reform* - Mr Damjan Manchevski, Minister for Information Society and Administration: Public Administration Reforms and ICT in "the former Yugoslav Republic of Macedonia" - Dr Nejc Brezovar, Deputy Minister, Ministry of Public Administration, Slovenia: Development Strategy of Local Self-Government in Slovenia - Ms Samardžić-Marković, Director General of Democracy - DGII, Council of Europe		For discussion
	Decentralisation and Civil Service Reform in Ukraine and the Council of Europe - Mr Georg Milbradt, Special Envoy for Decentralisation in Ukraine - Mr Kostyantyn Vashchenko, Head of the National Agency of Civil Service		For discussion
2.2	*Action by International Organisations* - Mr Joaquim Oliveira Martins, Deputy Director, Centre for Entrepreneurship, SMEs, Local Development and Tourism (OECD): Multi-level governance		For discussion
3.	Decisions by the Committee of Ministers of relevance to the work of the CDDG	[CDDG(2017)15]	For information and action
4.	State of implementation of the CDDG activities according to its terms of reference 2016-2017		
4.1	*Revision of Committee of Ministers' Recommendation Rec(2001)19 on the participation of citizens in local public life*		
	- Draft revised Recommendation	[CDDG(2017)16]	For discussion
	- Draft explanatory report	[CDDG(2017)17]	and approval
4.2	*Strategy for Innovation and Good Governance:*	[CDDG(2017)27]	For information
	- Report on the meeting of the European Stakeholders' Platform (6 September 2017, Strasbourg)	[DG-SP(2017)7 rev.]	and action
	- The Twelve Principles of Good Democratic Governance: Social discontent, public administration and public perception – the experience in the Netherlands	[CDDG(2017)18]	For discussion
	- Implementation in member States	[CDDG(2017)28]	For information

4.3	*Democratic Governance of Metropolitan Areas* - Seminar on Democratic Governance in Metropolitan Areas (Thessaloniki, 17-18 October 2017): Report	[CDDG(2017)19]	For information and action
4.4	*Cross-Border Cooperation* - Update of the EDEN Database: presentation by Mr Daniele del Bianco, Institute of International Sociology of Gorizia (ISIG)	[CDDG(2017)20]	For information and action
4.5	*CDDG activities in 2016-2017 : Report to the Committee of Ministers*	[CDDG(2017)21]	For discussion and adoption
5.	CDDG Terms of Reference 2018-2019		
	New Terms of Reference 2018-2019 - Exchange of views on their implementation - Creation of working groups	[CDDG(2017)22]	For discussion and action
6.	Developing tools on good democratic governance and supporting reforms		

	Centre of Expertise for Local Government Reform
	- Activities in 2017 including
	  - Peer Reviews
	  - New, revised and updated tools
		[CELGR(2017)2]	For information and action

	- Strategy 2017-2022	[CELGR(2017)3]	For information and action
7.	Chairmanship of the Committee of Ministers	[CDDG(2017)23]	For information
7.1	*Activities implemented under the Chairmanship of the Czech Republic (19 May 2017 – 15 November 2017)*		
7.2	*Priorities of the Chairmanship of Denmark (15 November 2017 – 18 May 2018)*		
8.	Election of the Bureau		
	Election of the Chair, Vice-Chair and four members of the Bureau	[CDDG(2017)25]	For election

9. Other business		
- *Information about other Council of Europe bodies*	[CDDG(2017)26 + Addendum]	For information and action
- Gender Equality Commission	[CDDG(2017)24]	For information and action
- Ad-hoc Committee for the Rights of the Child		
- European Social Cohesion Platform		
- Division of Electoral Assistance		
- World Forum for Democracy		
- *Bureau meeting report*	[CDDG-Bu(2017)16]	For information and discussion
- *Recent developments in member States*		
- *Any other item*		
- *Adoption of the abridged meeting report*	[CDDG(2017)29]	For adoption
10. Date of the next meeting		For decision

APPENDIX III

Comments by the CDDG on Recommendation 405 (2017) – "Making public procurement transparent at local and regional levels" of the Congress of Local and Regional Authorities of the Council of Europe.

1 The CDDG expresses its appreciation for the opportunity to comment on Congress Recommendation 405 (2017) – "Making public procurement transparent at local and regional levels".

2 With a view to allowing the Committee of Ministers to respond to the recommendations by the Congress, the CDDG wishes to draw the Committee of Ministers' attention to the following:

3 The Recommendation rightfully underlines the role of public procurement in public service provision and touches upon several crucial principles of good governance: efficiency and effectiveness and competence and capacity as well as transparency, accountability and ethical conduct, the importance of which is recognised in the Secretary General's annual reports on the State of democracy, human rights and the rule of law.

4 The CDDG

- Fully appreciates the need for member states to take measures as recommended and to pay particular attention to establishing national standards regarding public procurement (a), ensuring maximum transparency at all stages of the procurement cycle (c), ensuring a common level of training and/or professional qualification for staff (d), establish a common set of indicators at national level (e).

- Under its Terms of Reference 2018-2019, the CDDG is entrusted with (specific task (iii) a) developing guidelines at all levels of government, b) updating the 2004 Handbook of good practice on public ethics at local level and c) to conduct a feasibility study on the preparation of a Council of Europe Indicator framework to identify trends with regard to public ethics.

- With a view to assisting member States in implementing initiatives as set out in the Recommendation, the CDDG, will give due regard to Congress Recommendation 405 (2017) and any reply by the Committee of Ministers thereto, and taking into account the Twelve Principles of Good Governance.

5 The Committee of Ministers, may wish to invite member states and, where applicable, regions with legislative powers, with a view to reducing the risk of corruption in public procurement and to create an environment conducive to transparency, to :

- adopt and implement the Twelve Principles of Good Governance at all levels;
- take inspiration from the Handbook for Public Ethics at Local Level, the Model Code of Conduct for public Officials of the Centre of Expertise for Local Government Reform, the Twenty Guiding Principles for the Fight against Corruption, and in as far as member states are not EU members, also from pertinent EU regulations;
- make the widest possible use of the assistance and instruments offered by the CDDG and the Centre of Expertise including such toolkits as on Public Ethics and Local Finance Benchmarking;
- apply the European Code of Conduct on the political integrity of local and regional representatives (Resolution 401(2016) (or as revised); and
- encourage authorities at local and regional level, to do the same.

6 In relation to e-procurement and new technologies, the Committee of Ministers may wish to recall, as outlined in its reply to Congress Recommendation 398 (2017) - “Open Data for better public services”, that “It underlines in this respect, the importance for all information and open data and public sector information to be presented in clear and easily understandable language and in an accessible, both “machine readable” and “human readable” format and that this is accessible to all”. It may also wish to encourage member States:

- to facilitate civil participation and accountability through the provision of comprehensive, relevant and up to date information available in an easily accessible, transparent, and non-discriminatory manner to all stakeholders by implementing Open Data principles. Open data and information, both online and offline and without restrictions on the analysis and re-use of such information, can strengthen democratic security.

7 If the Committee of Ministers so wishes, the CDDG could consider addressing the issues of national procurement standards and a common set of indicators at national level as suggested, in its work with regard to public ethics under the terms of reference 2018-2019.

Comments by the CDDG on Recommendation 406 (2017) "A better future for Europe's rural areas" of the Congress of Local and Regional Authorities of the Council of Europe.

1 The CDDG welcomes the opportunity to comment on Congress Recommendation 406 (2017) – "A better future for Europe's rural areas".

2 To allow the Committee of Ministers to respond to the recommendation by the Congress, the CDDG wishes to draw the Committee of Ministers' attention to the following:

3 The Recommendation sets out important considerations for territorial and administrative reforms and e-governance at all levels and thus presents synergies with the work of the CDDG. The CDDG has highlighted the importance of delivering better public services, stronger democratic arrangements and improved outcomes for communities and, in its activities, intends to take into account and support in the best possible way the recommendations made.

4 The Committee of Ministers may wish to draw member States' attention to:

- Resolution No.1 "Functional areas – Capitalisation of local potential in territorial development policies over the European Continent", adopted by the Council of Europe Conference of Ministers responsible for Spatial Planning in 2017[1]. This recognises that "… the interdependencies between urban and rural development processes, the economic specialisation trends and the integration of labour and economic markets into functional areas beyond administrative borders require appropriate management tools."

- the Nafplion Declaration (Resolution N.1) "Promoting Territorial Democracy in Spatial Planning" adopted by of the Council of Europe Conference of Ministers responsible for Spatial Planning in 2014[2].

5 The combined approach of effective public participation, taking into account the Guidelines on civil participation in political decision making, and the measures and priorities to develop and capitalise on functional areas set out in the above resolutions can greatly assist member States in successfully implementing the recommendations set out in Congress Recommendation 406 (2017) and ensuring a better future for Europe's rural areas.

[1] CEMAT, 17th session, Bucharest, 3 November 2017
[2] CEMAT, 16th session Nafplion, 17 June 2014

6 Clearly defined strategies and place-based policies should include a strong focus on inclusiveness and prevention of digital divides through judicious use of new technologies, ensuring access to both infrastructure and infostructure enabling all to develop the necessary skills and understanding needed to fully benefit from connectivity.

7 The CDDG also recalls that in many member States inter-municipal cooperation and amalgamation is a means of ensuring sustainability in the delivery of quality public services and of reinforcing competencies and building capacity at the level of local and regional authorities while maintaining a high degree of democratic representativeness.

8 The Committee of Ministers may therefore wish to encourage member States to make the best possible use of the Centre of Expertise for Local Government Reform and the support and toolkits it provides to assist authorities at all levels in designing and implementing appropriate reforms.

APPENDIX IV

Draft Recommendation CM/Rec(xxxx)xx of the Committee of Ministers to member States on the participation of citizens in local public life

(Adopted by the Committee of Ministers on xx xxxx 20xx at the xxxxth meeting of the Ministers)

The Committee of Ministers, under the terms of Article 1*5.b* of the Statute of the Council of Europe,

Considering that the aim of the Council of Europe is to achieve a greater unity between its members for the purpose of safeguarding and realising the ideals and principles which are their common heritage and to foster their economic and social progress;

Considering that the participation of citizens is at the very heart of the idea of democracy and that citizens who are both committed to democratic values, mindful of their civic duties and active in public life, are the lifeblood of any democratic system;

Reaffirming its belief that representative democracy is part of the common heritage of member states and is the basis of the participation of citizens in public life at national, regional and local level;

Recalling the practices of direct democracy in some member states;

Considering that participatory democracy, which respects and recognises the role of all actors, can contribute to and complement representative and direct democracy, rendering democratic institutions more responsive, hence contributing to inclusive and stable societies;

Convinced that local democracy is one of the cornerstones of democracy in European countries and that its reinforcement is a factor of stability;

Noting that local democracy is today operating in a challenging context which is continuously evolving as a result not only of structural and functional changes in local government organisation, but also of political, economic, cultural and social developments that are occurring in Europe;

Aware that public expectations continue to evolve, that local politics continue to change form with citizens seeking and practicing new ways to engage and to express themselves and that this requires, even more strongly than in the past, more direct and flexible methods of participation;

Considering that there continues to be a need for local public institutions to re-engage with and respond to citizens in new ways, to maintain the legitimacy of decision-making, in particular given that, so often today, the level of trust citizens have in their elected institutions is declining;

Recognising that a wide variety of measures, which are readily adaptable to local circumstances, is available to promote the participation of citizens;

Considering that the right of citizens to have their say in major decisions entailing long-term commitments or choices which are difficult to reverse and concern citizens, is one of the democratic principles common to all member states of the Council of Europe;

Considering that this right can be most directly exercised at local level and that, accordingly, steps should be taken to involve citizens more directly in the management of local affairs, while safeguarding the effectiveness and efficiency of such management;

Considering that dialogue between citizens and local authorities and elected representatives is essential for local democracy, as it strengthens the legitimacy of local democratic institutions and the effectiveness of their action;

Considering that, in keeping with the principle of subsidiarity, local authorities have and must assume a leading role in promoting the participation of citizens, and that their commitment is critical to the success of any “local democratic participation policy”;

Having regard to the need for updating Recommendation Rec(2001)19 of the Committee of Ministers to member States on the participation of citizens in local public life and considering that the changes that have taken place since its adoption justify that it be replaced by the present Recommendation;

Having regard to:
- the Additional Protocol to the Charter of local Self-Government on the right to participate in the affairs of a local authority [CETS 207];
- Recommendation CM/Rec(2009)2 of the Committee of Ministers to member States on the evaluation, auditing and monitoring of participation and participation policies at local and regional level and the C.L.E.A.R. tool appended thereto;
- the Twelve Principles of Good Democratic Governance; and
- the Guidelines for civil participation in political decision-making;

Recommends that the governments of member states undertake the tasks set out in paragraphs 1-5, or entrust these tasks to the competent public authorities, taking into account their respective constitutional or legislative arrangements:

1. frame a policy, involving local and - where applicable - regional authorities, designed to promote the participation of citizens in local public life, drawing on:

- the principles of the European Charter of Local Self-Government [ETS 122];
- the Additional Protocol to the European Charter of Local Self-Government on the right to participate in the affairs of a local community [CETS 207];
- the Guidelines for civil participation in political decision-making (CM(2017)83 final); and
- the principles set out in Section A of the Appendix to this Recommendation;

2. adopt measures within their power, having regard to that policy and to Section B of the Appendix to this Recommendation, in particular with a view to improving the legal framework for participation and ensuring that national legislation and regulations enable local and regional authorities to employ a wide range of participation instruments;

3. invite, in an appropriate way, local and regional authorities:

- to subscribe to the principles contained in Section A of the Appendix to this Recommendation and to undertake the effective implementation of the policy of promoting the participation of citizens in local public life;
- to improve local and regional regulations concerning the participation of citizens in local public life together with practical arrangements for such participation, and to take any other measures within their power to promote citizens' participation, with due regard to the measures listed in Section B of the Appendix to this Recommendation;

4. review periodically the policies adopted concerning the participation of citizens to ensure that they are maintained as effective and up to date policies;

5. ensure that this recommendation is translated into the official language or official languages of their respective countries and, in ways they consider appropriate, is published and brought to the attention of local and regional authorities;

Decides that this Recommendation replaces Recommendation Rec(2001)19 of the Committee of Ministers to member States on the participation of citizens in local public life.

Appendix to Draft Recommendation CM/Rec(xxxx)xx of the Committee of Ministers to member States

For the purposes of this Recommendation:

"Local public life" shall be taken to mean "all matters, services and decisions and in particular the management and administration of the affairs relating to, or concerning a local community";

"Citizen" shall be understood to mean "every person (including foreigners) belonging to a local community. Belonging to a local community involves the existence of a stable link between the individual and that community".

A. Basic principles of a local democratic participation policy

1. Comply with the principles for providing information as set out in the Council of Europe Convention on Access to Official Documents (CETS 205) in relation to the various matters of concern to a local community in order to enable its citizens to have a say in decisions which affect their community or affect them individually and allow for transparency in local authorities' decision-making, thereby enhancing accountability of the decision-makers.

2. Seek new ways to enhance civic-mindedness and to promote a culture of democratic participation shared by communities and local authorities.

3. Develop the awareness of belonging to a community and encourage citizens to accept their responsibility to contribute to the life of their communities.

4. Accord major importance to communication between public authorities and citizens and encourage local authorities to give emphasis to the participation of citizens and careful consideration to their demands and expectations, so as to provide an appropriate response to the needs which they express.

5. Adopt a comprehensive approach to the participation of citizens, having regard both to the processes of representative democracy and to the forms of direct participation in the decision-making and the management of local affairs.

6. Avoid overly rigid solutions and allow for experimentation, giving priority to the empowerment of citizens; consequently, provide for a wide range of participation instruments, and the possibility of combining them and adapting the way they are used in function of the circumstances.

7. Start from an in-depth assessment of the situation as regards local participation, establish appropriate benchmarks and introduce a monitoring system for tracking any changes therein, in order to identify the causes of any positive or negative trends in the participation of citizens, and in order to gauge the impact of the mechanisms adopted.

8. Enable the exchange of information between and within countries on best practices in the participation of citizens, support local authorities' mutual learning about the effectiveness of the various participation methods and ensure that the public is fully informed about the whole range of opportunities available, taking into account Recommendation CM/Rec(2009)2 of the Committee of Ministers to member States on the evaluation, auditing and monitoring of participation and participation policies at local and regional level and the C.L.E.A.R. tool appended thereto.

9. Pay particular attention to those categories of citizens who have greater difficulty becoming actively involved or who, *de facto,* remain on the sidelines of local public life.

10. Promote balanced participation of women and men in local politics and local public life.

11. Recognise the potential that children and young people represent for the sustainable development of local communities and emphasise the role they can play.

12. Recognise and enhance the role played by associations and groups of citizens as key partners in developing and sustaining a culture of participation and as a driving force in the practical application of democratic participation.

13. Recognise how culturally diverse and inclusive societies can facilitate the participation of all in the public life of their communities.

14. Encourage and make use of the joint efforts of the authorities at every level of governance, with each authority being responsible for taking appropriate action within its competence, according to the principle of subsidiarity.

B. Steps and measures to encourage and reinforce the participation of citizens in local public life

I. General steps and measures

1. Ascertain whether, in a complex and globalised world, the relevance of local action and decision-making is made clear to the public by identifying core roles for local authorities in a changing environment.

2. Give proper emphasis to these roles and ascertain, if necessary, whether the balance of powers exercised at national, regional and local levels is such as to ensure that a sufficient capacity for local action lies with local authorities and elected representatives to provide the necessary stimulus and motivation for the involvement of citizens. In this context, make use of every opportunity for functional decentralisation, extending the responsibilities of local authorities.

3. Give local authorities the possibility to introduce at neighbourhood level, participatory structures that offer citizens opportunities to influence their immediate environments.

4. Improve citizenship education and incorporate into school curricula and training syllabuses the objective of promoting awareness of the responsibilities that are incumbent on each individual in a democratic society, in particular within the local community, whether as an elected representative, local administrator, public servant or ordinary citizen in line with the Council of Europe Charter on Education for Democratic Citizenship and Human Rights Education (Recommendation CM/Rec(2010)7).

5. Encourage local elected representatives and local authorities, by any suitable means, including the drafting and publishing of codes of conduct, to behave in a manner which is in compliance with the highest standards of ethical conduct and inspires the trust of citizens, taking into account:

- Congress of Local and Regional Authorities' Resolution 401 (2016) on Preventing corruption and promoting public ethics at local and regional level;
- the European Code of Conduct on the political integrity of local and regional representatives; and
- the 2006 Abridged Handbook on Public Ethics at Local Level.

6. Introduce greater transparency into the way local institutions and authorities operate, and in particular:

i. ensure the public nature of the local decision-making process (for example, publication of agendas of local council and local executive meetings; meetings of the local council and its committees open to the public; question and answer sessions, publication of minutes of meetings and decisions);
ii. ensure and facilitate access by any citizen to information concerning local affairs (such as setting up information offices, documentation centres, public databases; making use of information and communication technologies; simplifying administrative formalities and reducing the cost of obtaining copies of documents), respecting legislation on privacy and security;
iii. provide adequate information on administrative bodies and their organisational structure, and inform citizens who are directly affected by any ongoing proceedings of the progress of these proceedings.

7. Implement a fully-fledged communication policy, in order to afford citizens the opportunity to better understand the main issues of concern to the community and the implications of the major political decisions which its bodies are called upon to make, and to inform citizens about the opportunities for and forms of participation in local public life.

II. Steps and measures concerning participation in local elections and the system of representative democracy

1. Review the functioning of local electoral systems in order to ascertain whether there are any fundamental flaws or voting arrangements that might discourage particular sections of the population from voting and consider the possibilities of correcting those flaws or arrangements in accordance with the Code of Good Practice in Electoral Matters adopted by the Commission for Democracy through Law (Venice Commission) (CDL-AD(2002)023rev-E).

2. Endeavour to promote participation in elections. Where necessary, conduct information campaigns to explain how to vote and to encourage people in general to register to vote and to use their vote. Information campaigns targeted at particular sections of the population may also be an appropriate option.

3. Examine voter registration and electoral turnout in order to determine whether there is any change in the general pattern or whether there are any problems involving particular categories or groups of citizens who are able to vote but show little interest in doing so.

4. Consider at all levels measures to make voting more convenient given the complexity and demands of modern lifestyles, e.g.:

i. review the way in which polling stations operate (number of polling stations, accessibility, opening hours);
ii. introduce new voting options, more in line with the aspirations of the citizens of each member state (early voting, postal voting, post office voting, electronic voting[3]);
iii. introduce specific forms of assistance (for example for persons with disabilities or illiterate people) or other special voting arrangements for particular categories of voters (voting by proxy, home voting, hospital voting, voting in barracks or prisons).

5. Where necessary, in order to better gauge the impact of any measures envisaged, conduct (or allow) pilot schemes to test the new voting arrangements.

[3] Having regard to Recommendation CM/Rec(2017)5 of the Committee of Ministers to member States on legal, operational and technical standards for e-voting.

6. Examine the basis on which candidates are able to stand for local elective office and consider, for example:

i. whether voters should be involved in the process of selecting candidates, for instance by introducing the possibility of presenting independent lists or individual candidatures, or by giving voters the option of casting one or more preference votes;
ii. whether voters should be given a stronger influence in the election or appointment of the (heads of the) local executives or mayors.

7. Examine the issues relating to plurality of elective office, so as to adopt measures designed to prevent simultaneous office-holding where it would hinder the proper performance of the relevant duties or would lead to conflicts of interest.

8. Examine the conditions governing the exercise of elective office, in order to determine whether particular aspects of the status of local elected representatives or the practical arrangements for exercising office might hinder involvement in politics. Where appropriate, consider measures designed to remove these obstacles and, in particular, to enable elected representatives to devote the appropriate time to their duties and to relieve them from certain economic constraints.

III. Steps and measures to encourage participation of citizens in local decision-making and the management of local affairs

1. Promote dialogue between citizens and local elected representatives and make local authorities aware of the various techniques for communicating with the public, and the wide range of ways in which citizens can play a direct part in decision-making. Such awareness could be developed through the publication of guidelines (e.g. in the form of a charter for participation of citizens at local level), the holding of conferences and seminars or the establishment of digital repositories and interfaces so that examples of good practice could be posted and accessed.

2. Develop, through surveys and discussions, an understanding of the strengths and weaknesses of the various instruments of citizen participation in decision-making and encourage innovation and experimentation in local authorities' efforts to communicate with citizens and involve them more closely in the decision-making process.

3. Make full use, in particular, of:

i. new information and communication technologies, and take steps to ensure that local authorities and other public bodies use (in addition to the traditional and still valuable methods such as formal public notices or official leaflets) the full range of communications facilities available, consulting, for example, Recommendation Rec(2009)1 of the Committee of Ministers to member States on electronic democracy (“e-democracy”) and Recommendation Rec(2004)15 of the Committee of Ministers to member States on electronic governance (“e-governance”);

ii. more deliberative forms of decision-making, i.e. involving the exchange of information and opinions, for example: public meetings; citizens' assemblies and juries and various types of citizens' forums, groups and panels and public committees whose function is to advise or make proposals; such as round tables, opinion polls, user surveys, etc.

4. Introduce or, where necessary, improve legislation/regulations which enable:

i. petitions/motions, proposals and complaints filed by citizens with the local council or local authorities;
ii. popular initiatives, calling on elected bodies to deal with the matters raised in the initiative in order to provide citizens with a response or initiate the referendum procedure;
iii. consultative or decision-making referendums on matters of local concern, called by local authorities on their own initiative or at the request of the local community taking into account the Code of Good Practice on Referendums adopted by the Commission for Democracy through Law (Venice Commission) (CDL-AD(2007)008rev);
iv. devices for co-opting citizens to decision-making bodies, including representative bodies;
v. devices for involving citizens in management (user committees, partnership boards, direct management of services by citizens, participatory budgeting, etc.).

5. Give citizens more influence over local planning and, in a general manner, over strategic and long-term decisions; more specifically:

i. give citizens the opportunity to participate in different phases of the decision-making process concerning those decisions. These phases can be: development, adoption, implementation, evaluation and reformulation of local policies;
ii. illustrate each phase of the process by means of lucid, intelligible material that is readily accessible to the public, using, if possible, in addition to the traditional methods (maps, scale models, audio-visual material) other media available through new technologies.

6. Develop systematic feed-back mechanisms to involve citizens in the evaluation and the improvement of management of local affairs and service delivery, such as user surveys, user panels, performance indicators, or choice between alternative service providers, in order to enhance quality of decisions, services and accountability.

7. Ensure that participation of citizens has a real impact on the decision-making process, that citizens are well informed about the impact of their participation and that they see tangible results. However, local authorities must be honest with the public about the limitations of the forms of participation on offer and avoid raising exaggerated expectations about the possibility of accommodating the various interests involved, particularly when decisions are made between conflicting interests or about rationing resources.

8. Encourage and duly recognise the spirit of volunteering that exists in many local communities, for example through grant schemes or other forms of support and encouragement for non-profit, voluntary and community organisations, citizens' action groups, etc., or through the forging of contracts or agreements between these organisations and local authorities concerning the respective rights, roles and expectations of these parties in their dealings with one another.

9. Develop neighbourhood participatory structures that allow citizens to influence decisions regarding public investments, zoning, service delivery or take on responsibilities for the management of local spaces, facilities, etc., for example through neighbourhood councils and forums, participatory budgeting, or voluntary groups.

IV. Specific steps and measures to encourage categories of citizens who, for various reasons, have greater difficulty in participating

1. Collect, on a regular basis, information on the participation of the various categories of citizens and ascertain whether certain ones such as women, children and young people, older persons, persons with disabilities, foreigners and others who have greater difficulty in participating, are under-represented in the elected bodies and/or play little or no part in electoral or direct forms of participation, having regard to the increasingly diverse composition of European societies and to the importance of inclusive societies.

2. Set targets for achieving certain levels of representation and/or participation of the groups of citizens concerned and devise packages of specific measures to increase the opportunities for their participation, for example:

i. introduce, for the groups of citizens concerned, an active communications and information policy including, where appropriate, specific media campaigns to encourage them to participate (consideration may be given to adopting a particular language, media and campaign style geared to the needs of each group);
ii. introduce specific institutional forms of participation, designed, where possible, in consultation with the group or groups of citizens whose involvement is being encouraged;

iii. appoint officials specifically responsible for dealing with matters of concern to the groups of those who have greater difficulty in participating, passing on their demands for change to the relevant decision-making bodies and reporting back to the groups on the progress made and the response (positive or negative) given to their demands.

3. As regards women in particular:

i. emphasise the importance of a balanced participation of women and men in decision-making bodies and consider any arrangements which might make it easier to combine active political involvement with family and working life;
ii. consider, if legally possible, the introduction of compulsory or recommended quota systems for the minimum number of same-sex candidates who can appear on an electoral list and/or a quota of seats reserved for women on local councils, local executive bodies and the various committees and boards formed by local bodies, taking into consideration Recommendation Rec(2003)3 of the Committee of Ministers to member States on balanced participation of women and men in political and public decision-making.

4. As regards children and young people in particular:

i. develop the school as an important common arena for young people's participation and democratic learning process;
ii. promote "children's council" and "youth council" type initiatives at municipal level, as genuinely useful means of education in local citizenship, in addition to opportunities for dialogue with the youngest members of society;
iii. encourage youth associations and, in particular, promote the development of flexible forms and structures for community involvement, such as youth centres, making full use of young people's capacity to design projects themselves and to implement them;
iv. consider the reduction of the age for voting in or standing for local elections and for participating in local referendums, consultations and popular initiatives;
v. consider the various other types of initiative suggested by Recommendation CM/Rec(2004)13 of the Committee of Ministers to member States on the Participation of Young People in Local and Regional Life, Recommendation CM/Rec(2012)2 of the Committee of Ministers to member States on the participation of children and young people under the age of 18 and Recommendation 1864 (2009) of the Parliamentary Assembly on promoting the participation by children in decisions affecting them.

5. As regards older persons in particular:

i. create and promote possibilities for older persons to fully participate in all aspects of local public life and encourage them to do so irrespective of their age;
ii. develop and promote flexible forms and structures for involving older persons such as appropriate advisory boards, taking into account Recommendation CM/Rec(2014)2 of the Committee of Ministers to member States on the promotion of human rights of older persons.

6. As regards persons with disabilities:

i. create and promote possibilities for persons with disabilities to fully participate in all aspects of local public life, and take the necessary measures to allow and encourage them to do so;
ii. develop and promote suitable forms and structures removing obstacles and providing appropriate assistance as required, for involving persons with disabilities such as advisory boards, taking into account Recommendation CM/Rec(2011)14 of the Committee of Ministers to member States on the participation of persons with disabilities in political and public life.

7. As regards lawfully resident foreigners in particular, encourage their active participation in the life of the local community on a non-discriminatory basis, by complying with the provisions contained in the Council of Europe's Convention on the participation of foreigners in public life at local level of 1992[4], even when its provisions are not legally binding on states, or, at least, by drawing inspiration from the mechanisms referred to in this Convention.

[4]. For the purposes of the Convention (Cf. Article 2), the term "foreign residents" means persons who are not nationals of the State and who are lawfully resident on its territory.

APPENDIX V

EXPLANATORY REPORT TO THE DRAFT RECOMMENDATION OF THE COMMITTEE OF MINISTERS ON THE PARTICIPATION OF CITIZENS IN LOCAL PUBLIC LIFE

TABLE OF CONTENTS

I. THE RECOMMENDATION IN A NUTSHELL

The ways in which citizens are engaging with local politics has been changing rapidly and is challenging traditional political structures. Across Europe local authorities are rising to the challenge by seeking new ways to interact with citizens, respond to their needs, and promote their participation in local public life. Councils have been reaching out to citizens through social media, involving them in decision-making in the form of local referenda and initiatives such as participatory budgeting mechanisms.

It is important to ensure effective participation of citizens in local public life if we wish to build inclusive, stable and prosperous communities. Satisfied citizens are those who feel their rights are being respected and their voices heard. Citizen engagement serves to strengthen the legitimacy of local authorities and improve the efficiency and effectiveness of the decision-making process.

Inspired by examples of successful participation initiatives in many of its 47 member states, the Council of Europe has adopted this recommendation to serve as a helpful guide for national and local authorities committed to improving the opportunities for participation of citizens in the life of their local community. The recommendation contains general advice and identifies basic principles and practical measures that could form the basis of a local democratic participation policy in any European country. The list below gives the general idea of the Recommendation's content:

- General guidelines :
    - Involve local authorities in designing a policy to promote the participation of citizens based on the basic principles outlined in the recommendation;
    - Adapt the legislative framework and ensure local and regional authorities are enabled to employ a wide range of participation instruments.

- Basic Principles of a democratic participation policy:
    - Share information with citizens in an appropriate and accessible format;
    - Promote a culture of democratic participation and civic-mindedness;
    - Adopt a comprehensive approach employing a wide range of participation instruments;
    - Ensure the balanced participation of women and men while recognising the contribution all actors can make to the consolidation of inclusive and stable societies.

- Steps and measures to encourage and reinforce citizen participation:
    - Ensure the effective distribution of competences between central, regional and local levels of authority to provide the necessary motivation for civic engagement;
    - Improve citizenship education to promote awareness of the responsibilities incumbent on citizens in democratic society;
    - Promote ethical conduct and transparent decision-making that inspire the trust of citizens and restore faith in local institutions;
    - Review the functioning of electoral systems and promote participation in elections;
    - Encourage dialogue between citizens and local elected representatives;
    - Listen to the views and needs of all groups of citizens and ensure effective follow-up.

II. BACKGROUND TO THE RECOMMENDATION

The present Recommendation CM/Rec(20xx)xx on the participation of citizens in local public life is a revision of Committee of Ministers' Recommendation Rec(2001)19 which it replaces.

The purpose of this Recommendation is to encourage authorities at all levels to:

- step up communication between citizens and their elected representatives;
- give citizens more influence over municipal planning, decisions of strategic importance for the local community and their local environment and over local services;
- improve the opportunities for participation, particularly for citizens who have greater difficulty in becoming actively involved;
- encourage participation by all citizens: women, children and young people, older persons, vulnerable groups, foreigners and others who have greater difficulty in participating.

In the context of this Recommendation,

- "local public life" should be taken to mean "all matters, services and decisions and in particular the management and administration of the affairs relating to, or concerning a local community";
- "Citizens" shall be understood to mean "every person (including foreigners) belonging to a local community. Belonging to a local community involves the existence of a stable link between the individual and the community.

These definitions do not affect or modify in any way legal definitions and concepts embodied by national constitutions or laws.

III. WHY THIS RECOMMENDATION?

Society and politics are concerned with issues related to the participation of citizens in the life of their community and the link between the development of democratic institutions and the participation of citizens in its various forms.

One may note that:

- Citizen participation in local politics is not declining but rather changing its form and this challenges the traditional political system;
- A wide range of approaches and measures are available for encouraging citizen participation;
- Policies for citizen participation must be regularly re-assessed both at national and local levels of government in order to benefit from new experiences and insights.

At the same time however, there are instances in member States where one can observe:

- declining public interest in and a general feeling of apathy about politics;
- difficulties in increasing public involvement through direct forms of consultation and participation;
- weaknesses in the institutions of representative democracy that decrease the effectiveness, openness and accountability of the system.

Since the adoption of the first Recommendation on the participation of citizens in local public life in 2001, Council of Europe member States have accumulated a wealth of experience regarding citizen participation and new approaches to participation keep emerging. Opportunities for learning across municipal and national borders have vastly increased. More knowledge is available on successes and pitfalls; at the same time, there is a growing consensus that there is no one best way to enhance citizen participation. The choice of modes for citizen participation must take account of variations in purposes of participation, local circumstances and national traditions.

Citizen participation also contributes to strengthening trust in and credibility of democratic institutions and helps building more inclusive societies. Thus it contributes to counteracting populism which seeks to limit debate, delegitimise dissent and reduce political pluralism.

Therefore, the Recommendation from 2001 has been brought up to date harmonising it with the relevant Council of Europe texts[5] and reflecting current concerns and recent social, political and technological developments in member States in respect of the participation of citizens.

IV. WHAT DOES PARTICIPATION OF CITIZENS IN LOCAL PUBLIC LIFE MEAN?

WHAT does the participation of citizens achieve and what benefits does it bring?
A diverse series of motivations for the participation of citizens is listed in the preamble and other parts of the Recommendation, ranging from that of being an expression of the common European democratic heritage to a means to more representative local politics, better policy choices or more efficient service provision. In addition to fostering development of evidence-based policies taking account of the needs of citizens and greater compliance and acceptance of decisions by citizens, participation also has an intrinsic value to the individual as it fosters community spirit and public-mindedness as well as a practical grasp and understanding of local affairs.

The Recommendation reaffirms such values and purposes and highlights new concerns such as social inclusion in turbulent times or enhanced focus on the accountability of elected bodies. The text also reminds local authorities of the importance of being clear about the exact purpose of local participatory initiatives, since local initiatives can sometimes be somewhat vague in this regard, leading to confusion.

HOW can the participation of citizens be enhanced?
Over the last decades a variety of participatory practices has been tried out in Europe, as well as in other parts of the world. A number of such practices are listed in the appendix to the Recommendation as well as in the Guidelines for civil participation in political decision-making, for example citizens' initiatives, forums for deliberation, participatory budgeting or more accessible voting procedures, as well as the various opportunities opened up by the digital revolution. As regards e-democracy, not only the new opportunities but also the challenges such as digital divides and fake news are recognised as issues that also need to be dealt with in the context of participation of citizens. Transparency and citizens' access to clear and comprehensible information are fundamentals for citizen participation.

WHEN or where is participation of citizens appropriate or useful?
Citizens can be involved in all stages of the local processes of decision-making, from policy initiatives, through policy deliberations, policy choices, policy implementation to policy scrutiny and adjustment.

Participation of citizens means that citizens take on complementary roles in the design and provision of public services.

[5] European Charter of Local Self-Government and its Additional Protocol on the right to participate in the affairs of a local authority, Convention on the Participation of Foreigners in Public Life at Local Level, Guidelines for civil participation in political decision-making.

The choice of the modes of participation may vary depending on the requirements of the specific stage of the process in which participation of citizens is sought. This requires paying attention to the balance between the responsibilities of elected councillors on the one hand and the roles and requirements of the citizens involved on the other hand since representative democracy is the basic mode of local governance in most European countries. It also requires attention to the organisation of local government operations since, in many places, local authorities provide some services through quasi-independent *corporations* (for example as *inter-municipal companies* or through *outsourcing* ventures). In such cases, lines of responsibility may become blurred in the eyes of citizens and access to information more difficult.

Opportunities for citizens to participate at the local level of government also depend on the extent of tasks and responsibilities allocated to local government in the respective European countries. This can range from insignificant to substantial and creating the necessary framework for participation is a national responsibility (or in federated states, of the competent authority). There is little point in inviting citizens to participate if there are no significant issues at stake at the local level.

WHO should be involved in schemes for participation of citizens?
In many cases, participants come forward for altruistic reasons, in other cases for self-interest since they are directly affected by some local government policy. In many cases, participants engage spontaneously and voluntarily, in other cases special efforts have to be made to reach out to groups that may have less opportunity to participate, and lack resources or the skills required to speak out. The Recommendation lists a series of potential target groups of this nature, such as women, children and young people, older persons, persons with disabilities, foreigners or categories of citizens who have greater difficulty participating actively. First of all, local authorities must be clear about who the target groups are. Second, they may need to tailor the participatory measures to the needs of particular groups, such as those mentioned above. Often, local authorities experience a lack of response from the public, in other cases far more participants than expected may want to engage. It is important for local authorities to analyse the causes of the varying response rates in order to be able to reach out more precisely to the relevant target groups.

V. HOW TO IMPLEMENT THE RECOMMENDATION?

WHAT NEXT to be done by national and local governments on the basis of their experiences with participation of citizen as well as the experiences of others?

It falls, of course, to the national governments to introduce or assess national policy in this field and to adjust national legislation in ways that promote the participation of citizens.

Much useful information in this field is however available across Europe as a whole as well as in other parts of the world. This information is an extremely valuable source of learning, allowing national governments as well as local authorities to analyse and evaluate their own experiences in order to identify particular strengths and weaknesses of local or national origin that may enhance or hamper citizen participation.

The Council of Europe bodies such as the European Committee on Democracy and Governance (CDDG), the Congress of Local and Regional Authorities, the Conference of INGOs of the Council of Europe not only actively facilitate sharing of information, experience, best practices in this regard but also provide instruments for self-evaluation such as the C.L.E.A.R. tool or the benchmarks and tools for the implementation of the Twelve Principles of Good Democratic Governance at local level developed by the Centre of Expertise for Local Government Reform.

VI. – WHAT'S IN THE RECOMMENDATION AND HOW TO READ IT?

The Recommendation opens with the preamble which sets out the considerations referred to above and builds on existing instruments.

The Recommendation then consists of five recommendations to the governments of member States of the Council of Europe. Where an authority other than the central government is competent, it recommends that governments entrust the relevant tasks to the appropriate authorities, taking into account their respective constitutional or legislative arrangements.

It is supplemented by an appendix which forms an integral part of the Recommendation:

- Section A of the Appendix sets out the basic principles of a local democratic participation policy by which policy-makers at all levels should be guided;
- Section B of the Appendix outlines the various steps and measures which could be taken, depending on the institutional arrangements and their powers, by the various levels of government – national, regional and local - in order to encourage, stimulate and strengthen participation of citizens in local public life.

The recommendations to the governments of member States

First Recommendation

This concerns the framing, in co-operation with local and, where applicable, regional authorities, of a policy designed to promote participation of citizens in local public life, based on the principles contained in Section A of the Appendix.

In other words, states are asked not only to devise a strategy, a framework for their activities or a programme to encourage participation, but also to raise the level of their intervention to the level of a "policy". It should be noted that the Recommendation is concerned with participation at local level; the relevant policy can (or even should) nevertheless form part of a wider policy of participation pure and simple.

Framing the local democratic participation policy requires the intervention both of the government and national parliament, and of the regional and local authorities, because it is these latter authorities which will be directly affected and a number of measures lie within their competence. Accordingly, the governments are asked to involve these authorities in the framing of the policy.

Second Recommendation

The governments are then asked to adopt, in the context of the policy thus defined, the measures within their power, while drawing inspiration from the measures listed in Section B of the Appendix to the Recommendation.

It is expressly stated that these measures should aim, in particular, to improve the framework for the participation of citizens in local public life.

Within this context, in order that local and regional authorities should be able to play an effective role in promoting participation, the governments of member States are asked to ensure that national legislation and regulations enable these authorities to employ a wide range of participation instruments.

Third Recommendation

Framing and implementing the local democratic participation policy is largely a matter for local and regional authorities. This policy cannot succeed, therefore, without the commitment and joint efforts of authorities at all levels.

In keeping with established practice, the Committee of Ministers of the Council of Europe does not address its recommendations to local and regional authorities; it can, nevertheless, as in this case, ask the governments to encourage and stimulate the activities of local and regional authorities.

Accordingly, these authorities should be invited:

- to subscribe to the principles contained in Section A of the Appendix to the Recommendation and to undertake to actually implement the policy of promoting the participation of citizens in local public life;
- to improve local and regional regulations and practical arrangements concerning participation of citizens in local public life, and to take any other measures within their power to promote participation, with due regard for the steps and measures listed in Section B of the Appendix to the Recommendation.

Fourth Recommendation

Reviewing and adjusting government policy periodically is an inherent feature of good governance in any field of government responsibility as evidence of policy performance accumulates. This should also apply to policies for the participation of citizens, especially in times of turbulence and social change.

Policy reviews may draw on national experiences regarding participation of citizens as well as seeking to learn from experiences in other countries. While national policy reviews will benefit from contributions from local authorities, local authorities should also be encouraged to review their own records of participation of citizens.

Fifth Recommendation

The governments of member States and, more broadly, public authorities at all levels have a key role to play in promoting participation of citizens in local public life.

For this reason, the Committee of Ministers asks the governments of member States to ensure that the present Recommendation is translated into the official language or official languages of their respective countries and, in ways they consider appropriate, to publish it and to bring it to the attention of local and regional authorities.

The appendix

As mentioned, the appendix:

- sets out in Section A general basic principles of a local democratic participation policy. These should guide policy-makers at national level in elaborating a framework for participation and should also be subscribed to by local and regional authorities; and
- outlines in Section B steps and measures that could be taken by the competent public authorities, depending on the constitutional and legislative arrangements, by the various levels of government – national, regional and local.

Section A - Basic principles of a local democratic participation policy

It is for member States to choose the appropriate means to promote participation of citizens in local public life. What matters is the end result and this requires flexibility in determining the approach and measures in function of the framework and practices of member States, with due regard to the circumstances and the wishes of their citizens.

The general principles which member States are invited to consider as key elements of a "local democratic participation policy" are set out in these 14 paragraphs.

Section B - Steps and measures to encourage and reinforce the participation of citizens in local public life

When it comes to actually implementing a policy in keeping with these principles, states have a wide margin of discretion. This is only fitting, as the circumstances vary considerably, as do the public needs and expectations which states are required to address.

The experience of the states concerned shows that there are a great many instruments, mechanisms and forms of participation which have various advantages (or disadvantages), and some of which are more suitable than others for encouraging, stimulating and strengthening participation, depending on the circumstances. The most significant examples of steps and measures which should be considered in order to pursue this aim are outlined in Section B of the Appendix.

This section is divided into four components:

- Subsection I outlines some general steps and measures such as ascertaining that the scope of local government responsibilities leave room for meaningful participation of citizens, providing adequate information to citizens or guaranteeing the transparency of local decision-making.
- Subsection II focuses on participation in local elections and how to enhance this.
- Subsection III highlights a series of practical arrangements to involve citizens in local decision-making in a variety of ways.
- Subsection IV is concerned with reaching out to specific groups that may be underrepresented in local politics, such as women, children and young people, older persons, persons with disabilities, foreigners as well as those who have greater difficulty in participating.

VII. GLOSSARY

The purpose of the following glossary is to ensure a better understanding of the text of the Recommendation. It describes the main concepts and instruments of participation of citizens in local public life which public authorities may use. However, in no way do the definitions below affect or modify the legal definitions and concepts embodied by national constitutions or laws.

Therefore, as an example, the definition of the term “citizen” for the purpose of the present Recommendation does not modify the meaning or the extent given to this concept by the internal legal order of each individual member State. Moreover, the intention is not to give definitions which force states to change the terminology that they normally use. Accordingly, the terms and expressions as described below may well be known in a given state under a different name from that used in the Recommendation. Likewise, the name used in the Recommendation to refer to a particular instrument may mean different things to different legal systems.

Nevertheless, for the purpose of interpreting the present Recommendation, the following definitions and explanations are the ones which should be used.

All definitions that follow relate to the "local" dimension of political life. However, for simplicity, "local" has not been used for qualifying the terms and expressions defined below.

Citizen → every person (including foreigners) belonging to a local community. Belonging to a local community involves the existence of a stable link between the individual and the community.

Citizens’ assembly → a body formed from the citizens to deliberate on an issue or issues of importance. The membership of a citizens' assembly can be made up of persons who are concerned or have an interest, or persons selected either randomly or on some appropriate basis. The purpose is to employ a cross-section of the public to study the options available to the authorities on certain questions and to propose answers to these questions through rational and reasoned discussion and the use of various methods of inquiry. In some cases, within a system of direct democracy at local level, the citizens assembly is the deliberative body of the community.

Citizens' forum → body which meets on a regular basis. It may have a set membership or operate on an "open" basis. Sometimes it has the power to make recommendations to specific council committees or even to share in the decision-making process.

Citizens' panel → a body made up of a statistically representative sample of citizens whose views are sought several times a year. They focus on specific service or policy issues, or on wider strategies.

Citizens' jury → group of citizens (chosen to be a fair representation of the local population) brought together to consider a particular issue set by the local authority. Citizens' jury receives evidence from expert witnesses and cross-questioning can occur. The process may last some days, at the end of which a report is drawn up setting out the views of the jury, including any differences in opinion. Jury' views are intended to inform councillors' decision-making.

Civil society at large → the ensemble of individuals and organised, less organised and informal groups through which they contribute to society or express their views and opinions, including when raising issues regarding human rights violations, corruption and other misconduct or expressing critical comments. Such organised or less organised groups may include professional and grass-roots organisations, universities and research centres, religious and non-denominational organisations and human rights defenders.

Community → The people living and working in or otherwise associated with a particular place or area through a shared interest or involvement in social, political, economic or leisure activities.

Consultation → procedure that allows public authorities to collect the views of individuals, NGOs and civil society at large on a specific policy or topic as part of an official procedure. Consultations may be carried out through various means and tools such as meetings, public hearings, focus groups, surveys, questionnaires and digital tools.

Co-opting → the process whereby citizens ('co-optees') who usually represent a particular community group or set of interests on local council committees or working parties are invited to membership of a committee or other body. In some cases these citizens merely act in an advisory capacity but in others they play a full role in decision-making.

Council of children / youth council → assembly made up of children or young people elected by their peers, which may be co-chaired by one of its members together with the mayor or the municipal councillor responsible for youth affairs. It may discuss issues concerning most directly the category of age it represents and may draw up and implement projects, on the basis of a budget allocated by the local authority.

Decision-making process → the development, adoption, implementation, evaluation and reformulation of a policy document, a strategy, a law or a regulation at national, regional or local level, or any process where a decision is made that affects the public, or a segment thereof, by a public authority invested with the power to do so.

Digital repositories → a location in which data is stored in digital format and managed (such as servers, databases, clouds, etc.).

Direct democracy → procedures that allocate (some) decision-making powers directly to citizens of a community, for example in the form of citizen assemblies, binding referenda, citizen initiatives or recall motions; such powers mean that citizens, through some collective procedure, decide certain issues directly without elected intermediaries as in representative democracy.

Direct participation → involvement of citizens – individually or collectively – in the various stages of the decision-making process, alongside or instead of their elected representatives. This involvement takes tangible forms in a number of arrangements, mechanisms and procedures associating citizens in the regulatory activity usually incumbent on the elected bodies (local councils in particular) and in the management of public services. The various forms of such involvement range from mere information through dialogue and consultation to direct decision-making and direct users' management of certain services.

Foreigner → persons who are not nationals of the State and who are lawfully resident on its territory.

Local public life → all matters, services and decisions and in particular the management and administration of the affairs relating to, or concerning a local community.

Neighbourhood → a generally defined geographical area within a larger city, town, suburban area, municipality or with defined functional social networks that surrounds the place where people live and work and which often constitute social communities where face-to-face interaction occurs.

Neighbourhood forum → the members are – for the main part at least– residents of a particular geographically-defined area or neighbourhood; it may deal with services and matters of concern to the area or neighbourhood under consideration; it may or may not have dedicated officers attached to them; it may have a close link with the relevant ward councillors or with councillors responsible for the category of services under discussion.

Participatory budgeting → a type of participatory democracy in which citizens decide how to allocate part of a municipal or public budget. Participatory budgeting allows them to identify, discuss, and prioritize public spending projects, and gives them the power to make real decisions about how money is spent.

Participatory democracy → the participation of citizens in the direction and operation of political systems creating opportunities for all members of a population to be directly involved in and make contributions to public decision-making, often as a complement to the normal procedures of representative democracy. Participatory procedures may take many forms: see direct participation, consultation, participatory budgeting.

Petition → a formal request signed often by numerous individuals commonly addressed to a government official or public entity in respect of a particular case or issue usually to undertake some action.

Popular initiative → instrument which gives effect to a right of proposal granted to citizens to bring about a decision by the local deliberative body, if need be. The popular initiative may take the form of a proposal drawn up in general terms or a fully drafted project. It is introduced by a minimum number of persons entitled to vote. The legal value of the result of ballots may vary according to the case.

Public authority → any executive, legislative or administrative body at national, regional and local level, including individuals, exercising executive power or administrative functions.

Public meeting → meeting of citizens of a local community, initiated by the local council or executive body, or convened at the request of citizens/of a given number of electors. It gives the opportunity to obtain public views on particular issues or facilitate debate on broad options for a specific service, a project or a policy. Its function may be advisory or decision-making.

Referendum → instrument whereby a plan or decision is submitted to the judgement of the community. Depending on the case, the referendum is initiated either by the local bodies (or a given number of elected representatives) or citizens themselves (through a request bearing a minimum number of signatures by residents or electors). A consultative referendum (which is not binding on the local bodies) must be distinguished from a decision-making referendum (the result of which is binding on local bodies).

Representative democracy → citizens who are entitled to vote participate in elections to elect those who will represent them and form the membership of the bodies and assemblies which hold the decision-making and legislative powers.

Zoning → the action of designating a specific area (of land) for use or development as a particular zone which may be subject to specific restrictions in planning.

APPENDIX VI

CALENDAR OF MEETINGS in 2018

COMMITTEE/WORKING GROUP	DATE
Working Group on the revision of Recommendation (98)12	19-20 February
Working Group of Public Ethics	22-23 March
CDDG Bureau	27 April
Working Group on E-democracy	7-8 June
Working Group on the revision of Recommendation (98)12	17-18 September
Working Group of Public Ethics	4-5 October
CDDG Bureau	19 October
9th Plenary meeting of the CDDG	28-30 November

APPENDIX VII

World Forum for Democracy

Is Populism a problem?

8-10 November 2017
Council of Europe, Strasbourg

Conclusions

The sixth edition of the World Forum for Democracy gathered more than 2000 participants from over 80 countries. Politicians and international leaders provided their views on the question of populism and its impact on traditional party and media structures as well as on multilateralism. Civil society actors, politicians, experts, journalists and youth leaders reviewed in laboratories innovative initiatives to counter populist trends and to safeguard pluralistic and open democracies.

Some basic facts

Populism is now Europe's third political force behind conservatism and social democracy, with 19% of European voters choosing populist parties. Left and right-wing anti-establishment parties are here to stay, pursuing a three-decade long trend which has reduced extremism to a fringe phenomenon. To what extent their authoritarian and illiberal ideas will be adopted by mainstream parties remains an open question[6].

Across a number of countries polled world-wide, half consider representative democracy a very or somewhat good way to govern their country. Yet, in all countries, pro-democracy attitudes coexist, to varying degrees, with openness to nondemocratic forms of governance, including rule by experts, a strong leader or the military. Countries with more democratic systems and greater wealth show more widespread commitment to representative democracy.[7]

At the same time, majorities in nearly all nations also embrace another form of democracy that places less emphasis on elected representatives. A global median of 66% say direct democracy – in which citizens, rather than elected officials, give a binding vote on major issues – would be a good way to govern. This idea is especially popular among Western European populists.

Dealing with "disruptions": clear vision, enhanced citizens' role

Major disruptions, from rapid climate to technological changes - which in turn question the limits of capitalism as a viable and sustainable economic model - were considered genuinely difficult to deal with and required articulate answers from mainstream political parties, failing this, populist parties would continue providing their own answers.

[6] Timbro Authoritarian Populist Index 2017
[7] PEW Globally, Broad Support for Representative and Direct Democracy, October 2017

Indeed, anxieties related to globalization, migrations, terrorism, income inequalities lead to people's perceived lack of control on their lives. To such fears, politicians tended to respond through the prism of the "nation state" notion as the only available. This lead to the scapegoating of communities, with rhetoric against migrants, refugees, LGBTI, Roma and other minorities.

In order to deal with the major disruptions of our time political parties needed to devise convincing responses, but also to support the citizens in going through such disruptions by not leaving it only to market forces. Populism thrives in the absence of convincing visions of a future which offers justice and opportunities to everyone.

Voters questioned that established parties and parliaments adequately represent them. Representative democracy was harmed by public officials' and politicians' illegal practices, such as corruption and tax evasion. Therefore, besides a clear vision, a stronger involvement of citizens was called for. A number of alternative participatory democracy practices/initiatives were reviewed at the WFD.

The wide-spread use of technology facilitated democratic participation and a sense of empowerment, as witnessed by the emergence of civic movements experimenting with both direct citizen participation type initiatives and those based on new forms of representation and deliberative processes. However questions as to the exact nature of such initiatives (private vs. public), their sponsorship, transparency and relative inability to deliver on substantial issues were raised. The risk of disappointing citizens further through such initiatives was also assessed.

Social media : from leveler to amplifier

Technological innovations allowed politicians to engage directly with a broader set of constituents. Availability of broadband across continents was initially seen as a major democratic enabler and leveler of playing fields, a true democratic promise. Internet and social media have indeed enabled unseen levels of information, global communication and mobilisation of social movements.

Today, however, technological inventions such as online platforms and big data were exploited for hate crimes and disinformation. Furthermore, social media could serve as amplifier of authoritarian populism through simplified narrations. The demise of gatekeepers such as legacy media which obey common standards of decency, respect of opponents and fact-based debate was worrying. Unlike legacy media, technology operators were not held accountable for the negative impacts on a pluralistic, fact-based political debate.

Different views were expressed on how to deal with social media in the current landscape. Some believed that they should no longer be seen as platforms but as publishers and therefore be subject to regulations, others that they should stick to the "rules of the road": separation between news and views, take all sides of the story , therefore only using traditional media type answers and refrain from legal measures. Overall, keeping contradictory debate was seen as a superior way at countering populism than creating an "editorial line".

Strong calls were made to safeguard the integrity of journalists and their ability to expose the "lies of politicians". Their struggle for freedom of speech remained crucial.

Multilateralism questioned

Domestic challenges to mainstream parties were paralleled with the increasing questioning of multilateralism and of the functioning of organisations that have shaped international relations since the end of WWII both at regional and global level. Such trend was seen as worrying notably in conjunction with the emergence of non-democratic world powers seen as possible alternative models to. Whilst it was considered that so far multilateral institutions had served well in their preventive and conflict-resolution role, calls were made to strengthen a delivery culture and the capacity of the UN to implement its resolutions and notably to ensure that the excellent work realized through the SDGs format would yield concrete results.

Recommendations

To political parties

- Develop convincing and bold visions –away from single issue platforms- to tackle the current "disruptions" (climate, migratory, technological, etc) coupled with clear step for step roadmaps.

- Make more use of technology for democracy, through broader participation in party debates and decision-making via face to face digital means. E-platforms have to be clear, transparent and accessible to all citizens.

- Ensure that electoral lists more broadly represent the societies in which parties operate.

- Reinforce and apply codes of ethical conduct, through use of sanctioning mechanisms.

To media and social media[8]

- Continue to support investigative media to expose party funding, corruption, inequalities etc..

- Join international fact-checking partnerships based on: alliance of media outlets of across spectrum of views, transparency and monitoring of impact on readers

- Ensure that business model guarantees independence through, inter alia: crowd-funding, citizen journalism, solution journalism.

[8] See also :" Information Disorder : toward an interdisciplinary framework for research and policy making". Council of Europe report DGI(2017)09

- Be more self-critical, responsibility for keeping democracy on line is a shared one.
- Apply more self–regulation and/or better interfacing with ombudsman type institutions to counter hate speech.
- Provide whistleblowers with secure communication channels and legal support.

To national authorities

- Improve electoral systems to increase participation.
- Encourage citizen participation through citizen assemblies and other mechanisms.
- Reinforce the editorial independence and the financial sustainability of public service media broadcasters and strengthen vigilance on respect of the related standards, especially the protection of journalists.
- Dedicate specific public buildings and spaces to citizen participation.
- Enhance integration policies.
- Review systems for large-scale political education building upon the strengths of the model of political foundations. A main focus should be on increasing media literacy.

To local and regional authorities

- Launch participatory democracy initiatives (participatory budgeting, citizens' assemblies etc.).
- Explore alternative voting rules (e.g. evaluative voting, etc.) in local and regional elections, together with impact analysis to assess their effective impact on voter turnout.

To civil society

- Co-operate with media and justice institutions to counter political corruption.

To Council of Europe and other international organisations

- Explore evaluation and monitoring standards for the democratic quality of participatory democracy practices.
- Establish and monitor standards for the use of big data for political campaigning. Ensure that standards are enforceable and enforced.

- Effectively address migration and integration challenges, through a better division of competences among the concerned international organisations
    - UN to deal with migration flows
    - CoE to contribute to better integration policies based on HR and RoL standards and acceptance of diversity
- Enhance the governance of multilateral institutions to incorporate more direct input from, and accountability to civil society organisations, academia and other forms of citizens fora on the model of the SDGs.