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CONSEIL DE L'EUROPE

Strasbourg, 2 June 2022

GT-DD(2022)6

**EUROPEAN COMMITTEE ON DEMOCRACY AND GOVERNANCE  
(CDDG)**

**WORKING GROUP ON DELIBERATIVE AND  
PARTICIPATORY DEMOCRACY  
(GT-DD)**

**REPORT OF THE 1<sup>st</sup> MEETING**

**5 - 6 May 2022, Hybrid meeting**

Secretariat Memorandum  
prepared by the  
Directorate General of Democracy  
Democratic Governance Division

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## **1. Opening of the meeting**

The Secretariat welcomed the members of the Working Group, who introduced themselves. The list of participants is set out in Appendix I.

## **2. Election of the Chair and Vice-Chair**

The Working Group elected Mr Abassin Nessar (Netherlands) as Chair, and Mr Markku Mölläri (Finland) as Vice-Chair by acclamation. Rules and candidates can be found in the document [GT-DD(2022)2].

## **3. Adoption of the agenda**

The agenda was adopted as set out in Appendix II.

## **4. Terms of reference**

The Secretariat presented information on the terms of reference of the working group and the time table [GT-DD(2022)1]. The Secretariat also pointed out that at its 15<sup>th</sup> plenary the CDDG had entrusted the working group with preparing a draft recommendation on deliberative democracy, provided the Committee of Ministers had no objections. The Secretariat informed the working group of the opportunity to discuss deliberative democracy during the World Forum for Democracy on 7-9 November 2022. Furthermore, the working group considered a proposal to organize a public consultation on the recommendation, similar to other Committees, and entrusted the Secretariat to look into the modalities.

## **5. Drafting of a Report on new forms of deliberative and participatory democracy**

The Working group considered the "Study on deliberative democracy" [GT-DD(2022)4] prepared by Dr Andy Williamson and Dr Jordi Barrat. The Secretariat of the Division of Election and Participatory Democracy provided background information on the Study and stressed that deliberative democracy was conceptualised as a specific form of participation, focusing on the engagement of individual citizens as opposed to organised engagement via civil society organisations.

The discussion centred around the structure and focus of the report; different forms of participatory democracy and the underlying participatory culture; challenges to engaging citizens and ways to overcome them. The representative of the Conference of INGOs mentioned their Dialogue Toolkit entitled: "From polarisation to participation", which provided a methodology for conducting structured dialogues. He stressed the importance of starting from the needs, rather than from the tool/method. Participants from Malta, the Netherlands, Finland, Belgium, Greece and Czech Republic also shared examples of deliberative initiatives and/or recent legislative projects in their respective countries.

In light of the mandate of the CDDG to prepare a study on new forms of deliberative and participatory democracy, with a view to complementing [Recommendation CM/Rec\(2018\)4 on the participation of citizens in local public life](#) and the [2017 Guidelines on civil participation in decision-making](#) and taking into account its own [work on e-democracy](#), the working group agreed to redraft the report in order to add and expand the part on participation.

Several participants stressed that it was crucial to mention clearly that innovation and development of deliberative and participatory democracy fitted within the framework of representative democracy. In other words, deliberative and participatory democracy should not undermine the authority of elected legislature. The Working Group agreed that the report should therefore address the democratic framework of representative democracy in which deliberative democracy and participatory democracy were situated.

The working group proposed the following outline for the report:

Chapter one – “Democracy” - would be setting the scene, and among others, referring to the importance of respect of human rights and the rule of law for democracies to thrive; explaining different types of democracy (e.g. representative, direct, participatory); embedding deliberative democracy in the context of representative democracy and showcasing their interaction; Possibly linking economy and democracy.

Chapter two – “Participatory Democracy” - would explain and list different forms of participatory tools (including right to challenge, referenda, co-creation) and their impact and mention the increase in deliberative forms in recent years. Furthermore, the chapter would build on the existing Council of Europe standards on civil participation and ensure consistency with previous work done by the CDDG.

Chapter three – “Deliberative Democracy”, will build on chapters 5 and 6 of the expert study. The chapter would highlight deliberative processes being used, their common characteristics, and develop preliminary conclusions and recommendations. Case studies illustrating the recommendations could be added. Furthermore, reference to the database of case studies could be made.

Overall, the report should be practical. It should define key terms; address and provide examples from all levels of government; clarify where deliberative democracy is situated in relation to representative democracy as well as highlight Do’s and Don’ts of deliberative practices, including through illustrative case studies. It should also address issues related to democratic culture, accessibility, digital literacy and digital transformation. Primary audience for the report will include policy makers, civil servants in public institutions, practitioners, and politicians. It should be accessible in terms of language.

The working group invited participants to send written contributions, such as comments, draft proposals for chapters, and/or illustrative case studies to the Secretariat by 30 May and entrusted the Secretariat with redrafting the study thereafter accordingly. The revised draft would be discussed at its next online meeting on 4<sup>th</sup> July 2022.

## **6. Contributions by the representatives of the Congress and Parliamentary Assembly, other organisations**

The Working Group heard a presentation by Mr Yves Dejaeghere, the Congress' expert, Executive Director, Federation for Innovation in Democracy – Europe (FIDE). Mr Dejaeghere outlined common characteristics of deliberative initiatives, the added value deliberative initiatives and what was needed to ensure their quality and impact.

The discussion centred around the definition and conditions of deliberative democracy (inter alia referencing to OECD guidelines); the nature of deliberative democracy as a tool to inform and advise decision making (e.g. mini publics might support work of legislative/parliaments); evaluation and oversight (e.g. who should be doing it and what would be indicators / standards for success/quality); impact and accountability (e.g. setting clear rules how recommendations are to be taken up); when to use deliberative initiatives given the time and resources investment; the role of digital technologies as well as around the more general question of making democracies more resilient and addressing decline in voter turnout.

The Working Group has been informed about the Congress [Report "Beyond Elections – the Use of Deliberative Methods in European Municipalities and Regions"](#), which was adopted at the last Congress session on 23 March. The Report contained illustrative examples of municipalities and regions that had been using deliberative processes. It provided practical guidance to municipalities and regions interested in deliberative processes as regards to the designing and the implementing such methods. Moreover, the Report highlighted key aspects for a successful deliberative process, including clear terms of reference and follow up to citizens' recommendations. The related Recommendation called on members States to support local and regional capacities, including financial ones, in devising and implementing deliberative democracy mechanisms. It also called on members States that have not yet done so, to sign and/or ratify the Additional protocol to the Charter of Local Self-Government on the right to participate in the affairs of a local authority.

Mr George Papandreou, Parliamentary Assembly, Chair of the Sub-Committee on Democracy, could not participate in the meeting. The Secretariat thus informed the working group about relevant resolutions and recommendation recently adopted by the Parliamentary Assembly and the synergies in this field. Recommendation [More participatory democracy to tackle climate change](#) underlined that "*citizens' participation and deliberation, in combination with representative democracy, can help provide public support, legitimacy, trust, empowerment, inclusion and equality, and facilitate the constructive reconciliation of a multitude of interests.*" It also called on the CDDG "*to draw up a report on new forms of participatory democracy, with a view to sharing good practices among member States, and to consider that report as a contribution to the specific area*

of climate change.” Recommendation on [Safeguarding and promoting genuine democracy in Europe](#) expressed concern regarding democratic backsliding and called on the Council of Europe “to consider ways of optimising and intensifying Council of Europe activities in the area of democracy and democratic governance”. The working group took note of the information.

## **7. Draft Recommendation on Deliberative Democracy**

The Working group heard a presentation by Dr Andy Williamson on preliminary elements for a draft recommendation on deliberative democracy, see [GT-DD(2022)5]. The elements were based on the study. Mr Williamson reminded the participants that the study was neither exhaustive nor intended to catalogue deliberative initiatives across member States. It aimed at understanding the characteristics of deliberative initiatives. He reiterated that the findings of the study suggested that used appropriately deliberative democracy was an effective way of bringing the voices of individual citizens directly into the heart of government. However, standards need to be developed.

He further emphasised that deliberative democracy was an advisory tool and not a decision-making tool. To be effective, the intervention should be positioned at the optimum moment of the policy or legislative cycle.

Mr Williamson underlined that the standards should not be overly prescriptive, as there was no one fits all model for deliberative initiatives and the context in which deliberative initiatives were being used varied considerably depending on democratic culture/maturity. Instead, the Recommendation and accompanying guidelines should be flexible, non-descriptive and adaptable as the practice of deliberative democracy evolves. He also pointed out that the guidelines should help to hold the process to account.

The discussion centred around questions related to codification (e.g. in light of different legal requirements in member States); clarifying the interrelation between representative and deliberative democracy (esp. need to contextualise where deliberation sat in democratic process); definition of concepts (also bearing in mind need to translate into national languages); main characteristics of deliberation and questions of legitimacy (with regards to mandate, recruitment, impact among others); clarifying the differences between participation and deliberation (e.g. local referenda or participatory budgeting are more about participation than deliberation); implication of using deliberative initiatives in public sector (esp. shift in mindset and culture) as well as role of digital technologies (e.g. as enabler to organise initiative and/or tool for tackling mis- and disinformation).

The Secretariat reiterated that at its 15<sup>th</sup> plenary session, the CDDG entrusted the Working Group with preparing a draft Recommendation on deliberative democracy. In terms of the structure the Secretariat proposed a structure similar to [Recommendation CM/Rec\(2022\)2 of the Committee of Ministers to member states on the democratic accountability of elected representatives and elected bodies at local and regional level](#), prepared by the CDDG. This would mean a preamble (considering growing interest in and pertinence of deliberative democracy), operational part (short action points what member States should do if they wish to introduce deliberation), and an appendix providing overall context, definitions and guidelines.

The working group suggested to highlight in the preamble the importance of respect of human rights and the rule of law as foundational pillars of democracy and also to mention the 12 principles of good democratic governance, especially the principles of participation and innovation and openness to change.

The working group entrusted the Secretariat with preparing a draft for discussion at its next meeting on 1<sup>st</sup> July 2022. Furthermore, the Working Group discussed the suggestion by the secretariat to put forward the report and/or the recommendation for public consultation at the World Forum for Democracy and entrusted the Secretariat to look into possible modalities.

## **8. Next steps**

The working group invited participants to send written contributions, such as comments, draft proposals for chapters, and/or illustrative case studies to the Secretariat by 30 May and entrusted the Secretariat with the preparation of the first draft of the Report accordingly. The Draft would be discussed at the meeting on 4<sup>th</sup> July 2022.

The working group entrusted the Secretariat with preparing the draft Recommendation on deliberative democracy for discussion at the meeting on 1<sup>st</sup> July 2022.

The working group entrusted the Secretariat to prepare a mail to the CDDG to contribute additional case studies of deliberative democracy by 1 September 2022. The relevant case studies would be published in the BePart database as well as included in the report.

## **9. Other business**

Ms Perle, Division of Election and Participatory Democracy, informed the participants of the launch of the online database, BePart, at the end of May. The database was a project by the Division of Election and Participatory Democracy, in collaboration with the Congress and CINGO. It would be updated every six months and collect case studies from all levels of governance. The CDDG was invited to contribute to the database.

**10. Date of the next meeting**

Additional informal meetings will take place on the 1<sup>st</sup> (to discuss the draft recommendation) and the 4<sup>th</sup> (report) July, online only.

Next formal meeting of the WG will take place on 26-27 September in Strasbourg, modalities to be confirmed.

**APPENDIX I****LIST OF PARTICIPANTS****CHAIR / PRESIDENT**

Mr Abassin NESSAR, Senior Advisor and Coordinator, Democracy and Governance, Ministry of Interior, The Hague

**AUSTRIA / AUTRICHE**

Mr Gregor WENDA, Deputy Head of Electoral Affairs Department, Directorate General of Legal Affairs, Federal Ministry of the Interior, Vienna

**BELGIUM / BELGIQUE**

Mr Edwin LEFEBRE, Deputy Director, Ministry of the Flemish Community, Agency for Home Affairs, Brussels

**CZECH REPUBLIC / REPUBLIQUE TCHEQUE**

Mr Kristian MALINA, Ministerial Assistant Principal, Department of Coordination of Public Administration and International Relations Ministry of the Interior of the Czech Republic

**ESTONIA / ESTONIE**

Ms Ave VIKS, Adviser, Governancer lecturer from Tallinn University

**FINLAND / FINLANDE**

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

**GERMANY / ALLEMAGNE**

Prof. Annegret EPPLER, University of Applied Science, KEHL

Prof. Uwe BUSBACH, University of Applied Science, KEHL

**GREECE / GRECE**

Ms Vasiliki MASOURA, expert within the Department of Organisation and Functioning of Second Level of Local Government, Athens

Mr Georgios CHRYSAFIS, expert (Deputy Head), Department of Organising and Functioning of Local Government, Ministry of the Interior, Athens

Mr Kimon SIDIROPOULOS, Head of the Department of Organisation and Functioning of First Level of Local Government, Athens

Mr Ioannis MATHIOUDAKIS, Head of the Coordination Service, Athens



**ITALY / ITALIE**

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

**MALTA / MALTE**

Mr Robert TABONE, Head EU & International Affairs, Office of the Director General, Local Government Division, VALLETTA

**PORTUGAL**

Ms Tânia MOURATO, Head of Department, Directorate-General for Local Authorities, LISBOA

**SLOVAK REPUBLIC / REPUBLIQUE SLOVAQUE**

Ms Barbara GINDLOVÁ, Local Self-Government and Foreign Affairs Unit, Department of Public Administration, Ministry of Interior of the Slovak Republic

**SLOVENIA / SLOVENIE**

Mr Jurij MEZEK, Senior Advisor, Ministry of Public Administration, Local Self-Government Service, LJUBLJANA

**SWEDEN / SUEDE**

Mr Daniel WOHLGEMUTH, Deputy Director, Ministry of Culture, Division for Media and Democracy

**UNITED KINGDOM / ROYAUME-UNI**

Mr Paul ROWSELL, Head of Governance Reform and Democracy Unit, Department for Levelling Up, Housing and Communities, Local Government & Communities Directorate, Ministry of Housing, Communities and Local Government, LONDON

Ms Siobhan SMYTH, Senior Policy Adviser, Governance Reform and Democracy Unit, Ministry of Housing, Communities and Local Government, LONDON

Mr Matthew BRANNEN, Senior Policy Adviser, Governance Reform and Democracy Unit, Department for Levelling Up, Housing and Communities, Local Government & Communities Directorate, Ministry of Housing, Communities and Local Government, LONDON

Ms Kirsty BROWN, Governance Reform and Democracy Unit, Department for Levelling Up, Housing and Communities, Local Government & Communities Directorate, Ministry of Housing, Communities and Local Government, LONDON

## **PARTICIPANTS**

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

Mr Yves DEJAEGHERE, Executive Director, Federation for Innovation in Democracy – Europe (FIDE), BRUSSELS

Mr Roman CHLAPAK, Governance Committee

### **CONFERENCE OF INGOs OF THE COUNCIL OF EUROPE / CONFERENCE DES OING DU CONSEIL DE L'EUROPE**

Mr Christoph SPRENG, Representative of the INGOs Conference to the CDDG, Initiatives of Change-International

## **CONSULTANT EXPERT / EXPERT CONSULTANT**

Dr Andy WILLIAMSON, Parliaments, participation and innovation, United Kingdom

## **SECRETARIAT**

### **Secretariat of the CDDG / Secrétariat du CDDG**

Ms Alina TATARENKO – Head of the Democratic Governance Division / Secretary of the CDDG / Directorate of Human Dignity, Equality and Governance / Directorate General of Democracy

Mr Christophe SPECKBACHER, Administrator – Democratic Governance Division / Directorate of Human Dignity, Equality and Governance / Directorate General of Democracy

Ms Judith ORLAND, Democratic Governance Division – Directorate of Human Dignity, Equality and Governance - Directorate General of Democracy

Ms Isabelle ETTER, Assistant

Ms Nino MAKHAURI, Trainee

### **Other Secretariat participating in the meeting / Autre Secrétariat participant à la réunion**

Ms Claudia LUCIANI, Director of Human Dignity, Equality and Governance / Directorate General of Democracy

Ms Cornelia PERLE, Elections and Participatory Democracy Division / Directorate of Human Dignity, Equality and Governance / Directorate General of Democracy

## **Interpreters / Interprètes**

Mr Grégoire DEVICTOR  
Ms Bettina LUDEWIG  
Mr Jean-Jacques PEDUSSAUD

## APPENDIX II

## AGENDA WITH ORDER OF BUSINESS

<b>THURSDAY 5 MAY</b>		
Kudo link: <a href="https://vmeeting.coe.int/k8/241116471513/join">https://vmeeting.coe.int/k8/241116471513/join</a>		
10.30		
<b>1.</b>	<b>Opening of the meeting</b> <ul style="list-style-type: none"> <li>- information by the Secretariat</li> <li>- <i>tour de table</i> for the participants to introduce themselves</li> </ul>	
11.00		
<b>2.</b>	<b>Election of the Chair and Vice-Chair</b>	[GT-DD(2022)2]
<b>3.</b>	<b>Adoption of the agenda</b>	[GT-DD(2022)OJ1]
<b>4.</b>	<b>Terms of reference</b>  Information and discussion on the terms of reference, general issues and working methods, as well as time-table	<a href="#">[GT-DD(2022)1]</a>  [GT-DD(2022)3]
11.30		
<b>6.</b>	<b>Contributions by representatives of the Parliamentary Assembly and Congress, other organisations:</b> <ul style="list-style-type: none"> <li>• Mr Yves Dejaeghere, Executive Director, Federation for Innovation in Democracy – Europe (FIDE). Has contributed to drafting the Congress Report on “Deliberative democracy at the local and regional levels” (adopted in session in March 2022)</li> <li>• Mr George Papandreou, Parliamentary Assembly, Chair of the Sub-Committee on Democracy</li> </ul>	
13.00-14.30	<b>Lunch break</b>	
14.30		
<b>7.</b>	<b>Draft recommendation on deliberative democracy</b>  Presentation of preliminary elements for a draft recommendation on [deliberative democracy] by Dr Andy Williamson <ul style="list-style-type: none"> <li>- Discussion and contributions by members of the working group</li> </ul>	[GT-DD (2022)5]
17.00	<b>End of day 1</b>	

<b>FRIDAY 6 MAY</b>		
<b>Kudo link: <a href="https://vmeeting.coe.int/k8/241117541161/join">https://vmeeting.coe.int/k8/241117541161/join</a></b>		
10.30		
<b>5.</b>	<p><b>Drafting of a Report for the CDDG on new forms of deliberative and participatory democracy</b></p> <p>Consideration of the draft prepared by Dr Andy Williamson and Dr Jordi Barrat</p> <p>-Discussion chapter by chapter and contributions by members of the working group</p>	[GT-DD(2022)4]
13.00-14.30	<b>Lunch break</b>	
14.30		
<b>5. (cont.) and 7 (cont.)</b>	<ul style="list-style-type: none"> <li>- Discussion of elements for a draft recommendation</li> <li>- Discussion of a study on deliberative democracy</li> <li>- Contributions by members of the working group.</li> </ul>	
16.30		
<b>8.</b>	<b>Next steps</b>	
16.45		
<b>9.</b>	<b>Other business</b>	
<b>10.</b>	<b>Date of the next meeting</b> (26-27 September, and possibly an additional informal meeting in late June or early July)	