



Strasbourg, 30 June 2017

CDDG(2017)14 REV.

EUROPEAN COMMITTEE ON DEMOCRACY AND GOVERNANCE (CDDG)

ABRIDGED REPORT OF THE 7th MEETING
11-12 May 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 and Mr Panagiotis Skourletis, Minister of Interior of Greece and Dr Nejc Brezovar, Deputy Minister, Ministry of Public Administration, Slovenia in particular.

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, welcomed the thematic exchanges with ministers which illustrated the Committee's function as a major learning platform contributing to enhancing democratic security and strengthening bilateral cooperation and technical assistance.

She further stressed how the work of the CDDG by adopting strong, forward looking guidelines for civil participation in political decision-making, gave practical effect to the recommendations set out in the Secretary General's report on democracy, human rights and the rule of law whilst the thematic discussion on ethics in public life contributed to promoting the Twelve Principles of Good Governance at all levels.

2. Promoting democratic governance through shared experience

2.1 *Administrative and local government reforms*

Mr Panagiotis Skourletis, Minister of Interior (Greece) presented the administrative reforms which sought to revitalise the democratic institutional framework and to enhance local self-government, enhancing local authority financing and giving particular attention to the specificity of various municipalities and island and mountain municipalities in particular. He expressed his appreciation for the support of the Centre of Expertise on Local Government Reform in the implementation of the Joint European Union - Council of Europe Project on the institutional enhancement of local government.

Dr Nejc Brezovar, Deputy Minister, Ministry of Public Administration (Slovenia) presented the [Strategy on Development of Local Self-Government until 2020](#). He set out its objectives, underlying principles as well as the strategic guidelines which sought to strengthen inter-institutional dialogue and financial autonomy and to develop local democracy and the specific identity of the municipalities. He expressed his appreciation for member States' contributions to the upcoming peer review on the implementation of the Strategy.

The Deputy Secretary General of the Government of the Republic of Moldova, Mr Guznac, and Mr Terteryan, First Vice-Minister for Territorial Administration and Emergency Situations (Armenia), welcomed the presentations which were of great interest to their respective authorities also.

There followed exchanges between a good number of delegations and ministers. Issues discussed included equalisation and solidarity based financing mechanisms, central policy requirements, technical support measures, and good practices in intermunicipal cooperation.

Presentations by the ministers are available on the [CDDG website](#).

2.2 From public ethics at local level to ethics in public life

The CDDG heard contributions by:

- Mr Gianluca Esposito, Executive Secretary of the [Group of States against Corruption](#)(GRECO);
- Mr Ibon Uribe Elorrieta, Board member of EUDEL (Association of Basque municipalities), Mayor of Galdakao, Spain;
- Mr Tim Lisney, Secretary of the [Congress'](#) Governance Committee;
- Mr Patrick Von Maravic, Chair of the Advisory group on revising the European Code of Conduct of the Congress;
- Mr Cezary Trutkowski, Council of Europe expert.

Various [presentations](#) are available on the [CDDG website](#).

In the ensuing discussion, speakers and CDDG members examined a wide range of issues relating to: the importance of preventative measures, including risk analysis, the need for awareness raising of institutional risk, education on public ethics, training and assistance to protect people at an individual level while balancing transparency and confidentiality concerns.

The Executive Secretary of GRECO said that it might be useful if the CDDG in the context of its terms of reference, took stock to examine where standards and activities of the Council of Europe and international organisations in the field of public ethics could be complemented.

The CDDG examined and approved the proposed action set out in [document CDDG\(2017\)1](#) with a view to ensuring follow-up to the findings of the Secretary General's reports on the State of Democracy, Human Rights and Rule of Law in the field of good governance and public ethics in particular. The Committee agreed to focus on the updating of the 2004 Handbook on Public Ethics and the Public Ethics Benchmark Toolkit and to extend these to cover all levels of government – local, regional and national. The Committee likewise agreed to develop guidelines on public ethics at all levels of government and to look into the preparation of a Council of Europe indicator framework to assess performance and to identify trends with regard to public ethics.

Three CDDG members (Belgium - Brussels-Capital Region, Greece and Malta) expressed an interest in becoming CDDG Rapporteur to accompany the Secretariat in the implementation of the actions decided. More expressions of interest were welcome to achieve a gender balance.

2.3. Democratic governance of metropolitan areas

The CDDG recalled its decision to hold a seminar on democratic governance of metropolitan areas and thanked the Greek authorities for the invitation to host the event in Thessaloniki in October in the context of the European Union-Council of Europe Technical Assistance project on institutional enhancement for local government in Greece.

It examined the proposals in relation to the organisation, participants and expected outcomes of the seminar set out in [document CDDG\(2017\)2](#). A number of member States, recalling also the thematic exchanges the previous day, expressed their interest in contributing to the event. The criteria set out in the document should be applied flexibly to ensure that the seminar would meet the specific interests and needs of the greatest number of member States.

The committee instructed the Secretariat to continue the preparation taking into account the comments by member States and to keep member States' delegations and relevant metropolitan areas fully informed and engaged in the preparatory process.

2.4 Council of Europe Conference of Ministers responsible for Spatial Planning (CEMAT)

The CDDG took note of the information presented and invited the members to inform the relevant government Services in their countries.

The functioning and any future activities of the Council of Europe Conference of Ministers responsible for Spatial Planning did not fall within the remit of the Committee's terms of reference. The CDDG would keep member States informed in line with the relevant decisions by the Committee of Ministers.

2.5 *World Forum for Democracy*

Ms Irena Guidikova, Head of Division, presented the [World Forum for Democracy](#), including the [Incubator for participatory democracy](#), outlining its role as a platform for discussing challenges to democracy around the world and to share initiatives and solutions to promote a pluralistic, inclusive and open democratic society. The 2017 Forum would focus on the role of political parties and media and presented a suitable opportunity for the CDDG and representatives of member States to enrich the debate from the perspective of national and/or local authorities.

The CDDG agreed that one or more representatives would contribute to the World Forum for Democracy and invited member States to consider engaging with and actively contributing to the Incubator for participatory democracy which would allow to sharing, developing and testing innovative approaches and initiatives.

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 398 \(2017\)](#) on "Open data for better public services" by 31 May 2017. It requested the Secretariat to draw up draft comments on the basis of the elements presented in [document CDDG\(2017\)5](#) and circulate it for approval by all members through the written procedure.

The draft 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 *CDDG programme of activities*

The CDDG took note of the information presented in [document CDDG\(2017\)6](#). Specific proposals and action to be taken would be discussed under the relevant points on the agenda.

4.2 *Civil participation in political decision-making*

The CDDG examined the revised draft guidelines for civil participation in political decision-making and the issues identified by the Bureau that presented opposing views and required a decision by the Committee.

The Committee adopted the draft guidelines as presented in Appendix IV.

4.3 *Revision of Committee of Ministers' Recommendation CM/Rec(2001)19 on the participation of citizens in local public life*

Mr Chrysafis (Greece) who chaired the first meeting of the working group on 2-3 March 2017 in Strasbourg, gave a short presentation on the group's findings and recommendations.

The Committee examined the recommendations and considerations for possible revision of Recommendation CM/Rec(2001)19 as set out in [document CDDG\(2017\)8](#) and, taking into account its continued relevance, endorsed the proposals by the working group to bring the recommendation up to date:

- Reflecting current concerns and recent developments in member States in respect of citizen participation;
- Streamlining and simplifying text as required, ensuring coherence with other relevant Council of Europe texts, including the European Charter of Local Self-Government and its Additional Protocol on the right to participate in the affairs of a local authority and the Convention on the Participation of Foreigners in Public Life at Local Level;
- Including a short explanatory report using straightforward and simple language.

The Committee clarified that [Recommendation \(2001\)19](#) unlike the draft guidelines on civil participation did not apply to all levels of government and specifically concerned participation of citizens in public life at the local level. Due consideration should be given to identify opportunities and suggestions for local government to consider inclusive approaches and take into account the needs of all groups of the population.

4.4 *Strategy for Innovation and Good Governance*

The Committee examined the proposals in relation to the promotion of the Twelve Principles of good democratic governance set out in [document CDDG\(2017\)9](#).

It expressed its recognition of the importance of the Twelve Principles at all levels: local, regional as well as national and welcomed their use as a benchmark for the Secretary general's report on democracy, human rights and the rule of law. The Twelve Principles constituted a useful tool for member States in assessing good governance and democratic security.

Further steps are needed to reach uniform high-level application of the Twelve Principles across member States at all levels and member States are encouraged to pursue their efforts in promoting practical application of the Principles, in particular at local level with the assistance of the Centre of Expertise. The Committee also recognised that the application of the Twelve Principles could play a significant role in achieving the Sustainable Development Goals as agreed by States under the auspices of the United Nations and equally could have an important role in programmes such as the OECD Open Government Programme.

The Committee also requested all member States to present information at its 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. This could also provide insight in specific areas and trends that would merit further attention, possibly in the form of a high-level conference.

5. Report by the Secretary General on the State of Democracy, Human Rights and the Rule of Law

The CDDG welcomed the 2017 edition of the Secretary General's Report and took note of the relevance and significance of the findings of the chapter on democratic institutions for its work. It committed itself to take these forward in the context of its terms of reference, in particular in the areas of decentralisation and devolution, participation of citizens and civil society in public life, improving public ethics and good governance in general.

The French representative provides clarification as regards the references to France in the section of the report on decentralization.¹

6. Developing tools on good democratic governance and supporting reforms

6.1 *Centre of Expertise for Local Government Reform*

The Committee took note of the information set out in [document CELGR\(2017\)1](#) and of the presentation by the Head of the [Centre of Expertise](#), Ms Alina Tatarenko, who highlighted the major thematic activities underway in different member states, focussing in particular on the role of Training Needs Analysis, Human Resources Management, leadership Academy Programme, Public Ethics Benchmarking and legal and policy advice. She outlined the upcoming peer reviews in Ukraine and Slovenia and thanked the member States who had expressed interest in contributing to these important events.

In April, the Centre of Expertise had presented the 12 Principles of Good Governance at the meeting of the UN Committee of Experts of Public Administration which currently prepares also such principles with a view to helping member States to implement of the UN Sustainable Development Goals.

¹ "The Council of Europe should be informed of the role of the following bodies : 'Comité des finances locales', the 'Commission consultative sur l'évaluation des charges' (CCEC), of the 'Conseil national d'évaluation des normes' (CNEN), the 'Conseil national des opérations funéraires' (CNOF), the 'Conseil supérieur de la fonction publique territoriale' (CSFPT) and the 'Conseil national de la formation des élus locaux' (CNFEL). These make it possible to ensure coordination between the government and local and regional authorities in relation to legislative and regulatory initiatives that concern them and which, amongst others, constitute means to maintain the dialogue between the State and the local and regional authorities. Moreover, in the framework of the parliamentary procedure which led to the adoption of the Law n° 2015-29 of 16 January 2015 redefining the boundaries of the regions, local and regional authorities had been consulted by way of the Senate which under Article 24 of the Constitution "shall ensure the representation of the territorial communities of the Republic"."

Member States emphasised the importance of the Centre's contributions to important reforms of decentralisation in Ukraine, leadership training in Lithuania and ELoGE in Bulgaria were mentioned in particular.

A representative of the [European Structural Reform Support Service](#) presented the Service and how it can support eligible countries in their reforms

6.2 *ELoGE: recent developments*

The Head of the [Centre of Expertise](#) gave an overview on the recent expressions of interest in the European Label of Governance' Excellence (ELoGE) by governments, associations and a Euroregion as presented in [document CDDG\(2017\)11](#). She encouraged member States to promote the practical implementation of the 12 Principles of Good Governance in municipalities and to request accreditation to grant ELoGE. She offered the assistance of the Centre of Expertise in this respect.

7. Chairmanship of the Committee of Ministers

7.1 *Activities implemented under the Chairmanship of Cyprus (22 November 2016 – 19 May 2017)*

The Cypriot delegate informed the Committee on the international conference on "Inter-municipal cooperation and good governance: Cyprus and the European experience" held on 8 February 2017 in Nicosia. Experts from more than a dozen countries shared their experience with inter-municipal cooperation in the context of wider local government reforms and addressed issues of legal frameworks and capacity-building on the basis of Council of Europe standards.

7.2 *Priorities of the Chairmanship of the Czech Republic (19 May – 15 November 2017)*

After summarising the [priorities of the Czech Chairmanship](#), the Czech delegate presented the outline of the international conference on "Quality of Public Administration at Local and Regional Level" (please find in Appendix V the preliminary programme) which the Ministry of Interior will organise on 20-21 September 2017 in Prague in the framework of the Czech chairmanship of the Committee of Ministers. He invited the CDDG members to participate in the conference and to suggest experts from ministries and territorial authorities.

8. Election of two members of the Bureau

The Committee elected Ms Stefania Traustadóttir (Iceland) and Mr Peter Andre (Austria) to the Bureau for the remainder of the mandates (31 December 2017) of Ms Greta Ulland Billing (Norway) and Ms. Inga Nyholm (Finland) who had resigned from the CDDG Bureau due to changes in their professional duties.

9. Other business

Report of the Bureau meeting

The CDDG took note of the information presented on the meeting of the Bureau on 31 March 2017 in Paris as set out in [document CDDG-Bu\(2017\)11](#).

Recent developments in member States

Estonia, [Finland](#) and Romania provided information on recent governance reforms in their States. Belgium (Brussels-Capital Region) provided information concerning recent changes in legislation on electronic voting.

CDDG Rapporteur on Children's Rights

The Rapporteur, Ms Laurence Gindt, updated the Committee on the work of the Ad hoc Committee for the Rights of the Child and a paper would be presented at the next meeting of the CDDG.

Congress of Local and Regional Authorities of the Council of Europe

The representative of the Congress informed members on the outcome of its [Conference on "Successful territorial reform"](#) in Eupen, Belgium, on 5 May 2017. Both the Chairman and Mr Terteryan (Armenia) commended the success of this event which they had attended as speakers.

10. Date of the next meeting

The next meeting of the CDDG will be held on 4-5 December 2017.

APPENDIX I

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APPENDIX II

AGENDA

- | | | | |
|-----|--|-----------------|-------------------------------|
| 1. | Opening of the meeting and adoption of the agenda | [CDDG(2017)OJ1] | For adoption |
| 2. | Promoting democratic governance through shared experience | | |
| 2.1 | <i>Administrative and local government reforms</i>
With the participation of:
- Mr Panagiotis Skourletis, Minister of Interior of Greece – on the implementation of administration reforms and institutional enhancement for local governance
- Dr Nejc Brezovar, Deputy Minister, Ministry of Public Administration Republic of Slovenia - on the Strategy on Development of Local Self-Government
- Participation of other Ministers to be confirmed | | For discussion and action |
| 2.2 | <i>From public ethics at local level to ethics in public life</i>
With the participation of:
- Mr Gianluca Esposito, Executive Secretary of the Group of States against Corruption (GRECO), Council of Europe
- Mr Ibon Uribe Elorrieta, Board member of EUDEL (Association of Basque municipalities), Mayor of Galdakao, Spain
- Mr Patrick Von Maravic, Chair of the Advisory group on revising the European Code of Conduct of the Congress
- Mr Cezary Trutkowski, Council of Europe expert | [CDDG(2017)1] | For discussion and action |
| 2.3 | <i>Democratic governance of metropolitan areas</i> | [CDDG(2017)2] | For discussion and action |
| 2.4 | <i>Council of Europe Conference of Ministers responsible for Spatial Planning (CEMAT)</i> | [CDDG(2017)3] | For information |
| 2.5 | <i>World Forum for Democracy</i> | [CDDG(2017)4] | For discussion and action |
| 3. | Decisions by the Committee of Ministers of relevance to the work of the CDDG | [CDDG(2017)5] | For discussion and/or action |
| 4. | State of implementation of the CDDG activities according to its terms of reference 2016-2017 | | |
| 4.1 | <i>CDDG programme of activities</i> | [CDDG(2017)6] | For information and/or action |
| 4.2 | <i>Civil participation in political decision-making</i>
- Draft guidelines for adoption | [CDDG(2017)7] | For discussion and adoption |

4.3	<i>Revision of Committee of Ministers' Recommendation CM/Rec(2001)19 on the participation of citizens in local public life</i> - Proposed elements for revision	[CDDG(2017)8]	For discussion and action
4.4	<i>Strategy for Innovation and Good Governance</i> - Promotion of the Twelve Principles of good democratic governance	[CDDG(2017)9]	For discussion and action
5.	Report by the Secretary General on the State of Democracy, Human Rights and the Rule of Law <i>Democratic Institutions: findings and recommendations</i> - Exchange of views	[CDDG(2017)10]	For discussion
6.	Developing tools on good democratic governance and supporting reforms		
6.1	<i>Centre of Expertise for Local Government Reform</i> - Activities in 2016 and perspectives for 2017	[CELGR(2017)1]	For information
6.2	<i>ELoGE: recent developments</i>	[CDDG(2017)11]	For information
7.	Chairmanship of the Committee of Ministers		
7.1	<i>Activities implemented under the Chairmanship of Cyprus (22 November 2016 - 19 May 2017)</i>		
7.2	<i>Priorities of the Chairmanship of the Czech Republic (19 May 2017 – 15 November 2017)</i>		
8.	Election of two members of the Bureau <i>Election of two members of the Bureau until 31 December 2017</i>	[CDDG(2017)12]	For election
9.	Other business - <i>Information about other Council of Europe bodies</i> - <i>Bureau meeting report</i> - <i>Recent developments in member States</i> - <i>Any other item</i> - <i>Adoption of the abridged meeting report</i>	[CDDG(2017)13] [CDDG-Bu(2017)11] [CDDG(2017)14]	For information For information For adoption
10.	Date of the next meeting		For decision

APPENDIX III

Comments by the CDDG on Recommendation 398 (2017) – “Open Data for better public services” 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 398 (2017) “Open Data for better public services” which addresses issues that have significant repercussions for good governance and the functioning of democratic institutions, in particular as regards responsiveness, transparency, accountability and participation and welcomes the reference by the Congress to the Council of Europe Convention on Access to Official Documents and the Additional Protocol to the European Charter of Local Self-Government.

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 Increasingly, open data constitute important sources of information for the public by allowing public authorities at national, regional and local level to make more comprehensive and up to date information available in an easily accessible, transparent, and non-discriminatory manner.

4 The provision of open data and information, both online and offline and without restrictions on the analysis and re-use of such information can strengthen democratic security through increased trust in and credibility and legitimacy of democratic institutions at all levels by way of increased implementation of the Twelve Principles of Good Governance, in particular:

- improved openness, transparency and accountability;
- increased efficiency and effectiveness, in improving public service delivery and responding to the needs of people by public authorities at all levels, and at local level in particular;
- increased opportunities for informed and effective participation of individuals, NGO’s and civil society at large in public life and in public authorities’ decision making processes.

5 The Committee of Ministers may wish to invite member states to pay particular attention to all information and open data and public sector information being 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, including the most vulnerable or those with special needs.

6 The Committee of Ministers may also wish to consider elaborating guidelines or a recommendation, as the case may be, on all or some aspects of open data, including the role of data intermediaries, having regard to the standards and values of the Council of Europe and the Twelve Principles of Good Governance in particular, with a view to assisting member States in implementing initiatives as recommended by the Congress.

7 In the event the Committee of Ministers requests the elaboration of such guidelines or recommendation, the Committee of Ministers may wish to involve the CDDG in their drafting.

APPENDIX IV

Strasbourg, 11 May 2017

CDDG(2017)7 REVISED
Item 4.2 of the agenda

DRAFT GUIDELINES FOR CIVIL PARTICIPATION IN POLITICAL DECISION-
MAKING

Revised and approved by the CDDG on 11 May 2017 with a view to their
transmission to the Committee of Ministers for adoption

FOREWORD

Participation by all individuals and groups of civil society in decision-making at all levels of government is one of the prerequisites for the improved and proper functioning of democratic society and for guaranteeing democratic security. It allows for open dialogue on critical issues, resulting in better decisions by the authorities and improved governance in the interest of all.

"Freedom of assembly and freedom of association are inextricably linked to freedom of expression. Exercised together, they support an inclusive and effective system of checks and balances, in which power is held to account. A guaranteed enjoyment of these rights is a precondition for the active participation of civil society in decision making at all levels of government."²

The Council of Europe has recognised the right of citizens to participate in the conduct of public affairs as one of the democratic principles shared by all member States.³

Civil participation is all the more important today when, in many countries, democracy is challenged. Civil participation complements and supports representative democracy. Citizens who feel that they have a say in the general policy debate and in everyday decisions, are more likely to accept the decisions taken and, more generally, to trust their elected representatives.

It is therefore crucial that individuals, non-governmental organisations (NGOs) and civil society at large are involved in the conduct of public affairs and feel empowered to do so.

²: "State of Democracy, Human Rights and the Rule of Law in Europe: A shared responsibility for democratic security in Europe", report by the Secretary General of the Council of Europe 2015, Chapter 3.

³ For example in the preamble of the European Charter of Local Self-Government

A number of Council of Europe texts that contribute to creating an environment for civil participation, or even define the right to participate, already exist. These include the European Convention for the Protection of Human Rights and Fundamental Freedoms, Recommendation CM/Rec(2001)19 on the participation of citizens in local public life, Recommendation CM/Rec(2003)3 on balanced participation of women and men in political and public decision-making, the Additional Protocol to the European Charter of Local Self-Government on the right to participate in the affairs of a local authority, Recommendation CM/Rec(2007)14 on the legal status of non-governmental organisations, the Convention on Access to Official Documents and the 2009 Code of Good Practice for Civil Participation in the Decision-Making Process. A list of the most directly relevant Council of Europe instruments, as well as other international texts, is appended to the present document.

The guidelines laid down here may be used as a toolkit. They seek to address the need for guidance based on good practices and on key Council of Europe and international standards, including fundamental principles such as gender equality and non-discrimination. They present the purpose, definitions, conditions and principles, fundamentals and types of civil participation as well as essential elements to ensure civil participation in practice. The guidelines address the manner in which public authorities can interact in a meaningful manner with individuals, NGOs and civil society at large.

Guidelines for Civil Participation in Political Decision-Making

(Adopted by the Committee of Ministers on XX at the XXth meeting of the Ministers' Deputies)

The Committee of Ministers,

Considering that the participation of citizens is at the very heart of the idea of democracy;

Considering that representative democracy, based on the right of citizens to freely elect its representatives at reasonable intervals, is part of the common heritage of member States;

Considering that direct democracy, based on the right to take part in elections and to launch and to sign popular initiatives and requests for referendums, has a long-standing tradition in certain member States;

Considering that participatory democracy, based on the right to seek to determine or to influence the exercise of a public authority's powers and responsibilities, contributes to representative and direct democracy and that the right to civil participation in political decision-making should be secured to individuals, NGOs and civil society at large;

Emphasising that responsibility and accountability for taking decisions ultimately rests with the public authority that has the democratic legitimation to do so;

Having regard to texts of the Council of Europe that contribute to creating an environment for civil participation such as:

- The European Convention for the Protection of Human Rights and Fundamental Freedoms as amended and supplemented,
- Recommendation CM/Rec(2003)3 on balanced participation of women and men in political and public decision-making,
- Recommendation CM/Rec(2007)14 of the Committee of Ministers to member States on the legal status of non-governmental organisations,
- The Council of Europe Convention on Access to Official Documents,
- The 2009 Code of Good Practice for Civil Participation in the Decision-Making Process;

As well as texts that define the right to participate:

- The Additional Protocol to the European Charter of Local Self-Government on the right to participate in the affairs of a local authority (CETS 207),
- Recommendation CM/Rec(2001)19 of the Committee of Ministers to member States on the participation of citizens in local public life;

Aware of the need to further strengthen the trust in and credibility of our democratic institutions and confident that widening the opportunities for civil participation in decision-making processes is one of the ways to achieve that aim;

Encouraging member States to draw on the views, information and expertise provided through participation and to develop a culture of effective participation based on the respect for human rights, democracy and the rule of law;

Adopts the following guidelines and invites member States to make the widest possible use of these and ensure their dissemination, in particular among all authorities responsible for, or otherwise involved with, civil participation in political decision-making.

I. Purpose

1 The purpose of these guidelines is to strengthen and facilitate participation by individuals, NGOs and civil society at large in political decision making.

II. Definitions

2 For the purpose of these guidelines, the following definitions are used:

- 2a "Civil participation" means the engagement of individuals, NGOs and civil society at large in decision-making processes by public authorities. Civil participation in political decision-making is distinct from political activities in terms of direct engagement with political parties and from lobbying in relation to business interests;
- 2b "Decision making process" refers to the development, adoption, implementation, evaluation and reformulation of a policy document, strategy, law, regulation at national, regional or local level, or to any process where a decision is made that affects the public or a segment of it by a public authority invested with the power to do so;
- 2c "Non-governmental organisations" (NGOs) means voluntary self-governing bodies or organisations established to pursue the essentially non-profit-making objectives of their founders or members as set out in Recommendation CM/Rec(2007)14. They may include, for example, voluntary groups, non-profit organisations, associations, foundations, charities, as well as geographic or interest-based community and advocacy groups;

2d “Civil Society at large” refers to the ensemble of individuals, organised, less organised and informal groups through which they contribute to society or express their views and opinions, including when raising issues about violations of human rights, 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, human rights defenders;

2e “Public authority” refers to any executive, legislative or administrative body at national, regional and local level, including individuals, exercising executive power or administrative functions.

III. Conditions and Principles

Enabling conditions

3 Participation requires all involved to honestly and sincerely exchange viewpoints to ensure that views of civil society are effectively taken into consideration by public authorities with decision-making powers. Conditions for effective civil participation therefore include:

3a Respect for human rights and fundamental freedoms, the rule of law, adherence to fundamental democratic principles, political commitment, clear procedures, shared spaces for dialogue and good conditions overall for a vital, pluralistic and sustainable civil society;

3b Creation of and maintaining an enabling environment by member States encompassing policy, legal framework, where appropriate, and implementing practice, guaranteeing individuals, NGOs and civil society at large, effective rights of freedom of association, freedom of assembly, freedom of expression and freedom of information;

3c Recognition and protection of and support for the role of civil society in a pluralist democracy, its functions in terms of advocacy and monitoring of public affairs and its contribution to building a diverse and vibrant society.

Principles

4 Civil participation should be promoted and enabled by the following principles which apply to all actors involved in civil participation in political decision-making:

4a Mutual respect between all actors as the basis for honest interaction and mutual trust;

- 4b Respect for the independence of NGOs whether the NGO's opinion is consistent with the opinion of the public authorities or not;
- 4c Respect for the position of public authorities with whom responsibility and accountability for decision-making lies.
- 4d Openness, transparency and accountability;
- 4e Responsiveness, with all actors providing appropriate feedback;
- 4f A non-discriminatory and inclusive approach so that all voices, including those of the less privileged and most vulnerable, can be heard and taken into account;
- 4g Gender equality and equal participation of all groups including those with particular interests and needs such as young people, the elderly, people with disabilities, minorities, etc.;
- 4h Accessibility through the use of clear language and appropriate means of participation, offline or online, and on any device;

IV. Fundamentals of Civil Participation in Political Decision-Making

5 Civil participation should seek to provide, collect and channel views of individuals, directly or via NGOs and/or representatives of civil society, providing a substantive exchange of information and views which inform the decision-making process in order that public needs are met.

6 Civil participation should be guaranteed by appropriate, structured and transparent means including, where necessary, legal or regulatory measures which could include, if necessary, provisions for handling requests for recourse or redress in the event of non-compliance. Any limitations and restrictions to participation should be clearly defined within this framework and be in accordance with the European Convention for the protection of Human Rights and Fundamental Freedoms and the relevant case-law of the European Court of Human Rights.

7 Different phases of the decision-making process being undertaken by the public authority invested with the necessary power should be open to civil participation.

8 Information should be easily accessible, transparent and available to the public except where classified for reasons clearly specified by law or restricted for reasons of data protection in line with the relevant Council of Europe Conventions and other international obligations.

9 Adequate information should be provided in a timely manner allowing for substantive input while decisions are still reversible.

10 Public authorities should plan and manage civil participation and clearly define the objectives, actors, process, timeline and methods used.

11 Public authorities should provide up to date, comprehensive information about the decision-making process and procedures for participation.

12 Public authorities should seek to avoid unduly burdening individuals, NGOs and civil society at large in the course of civil participation and may take appropriate action to facilitate participation.

13 Where public authorities provide some support to individuals NGOs or civil society at large in the course of civil participation, they should do so in a manner which avoids trying to influence the outcome of the participation exercise in any way.

14 Where necessary, coordinating bodies for developing and managing civil participation processes could be established or developed further subject to their roles being clearly defined, emphasised and supported.

15 Public authorities and NGOs may wish to conclude framework agreements for cooperation to support civil participation.

16 The timeline allocated should provide sufficient opportunity to properly prepare and submit constructive contributions, other than in exceptional and well defined circumstances. Similarly, recourse to restricted procedures and/or procedures involving a limited number of actors should be taken only in exceptional circumstances for which reasons are given.

17 The scope and method of civil participation should be commensurate to the issue at stake. Public authorities should solicit the widest possible input, including from marginalised, disadvantaged and other vulnerable groups.

18 Public authorities should not make a final decision until the end of the civil participation process which they have undertaken, except if exceptional circumstances so require and subject to clear justifications being given.

V. Types of civil participation

19 Civil participation in decision-making can take different forms, including: provision of information, consultation, dialogue as well as active involvement⁴.

⁴ As defined also in the Code of Good Practice for Civil Participation in the Decision-Making Process.

Provision of Information

20 At all stages of decision-making all appropriate information should be presented in clear and easily understandable language and in an appropriate and accessible format, without undue administrative obstacles and, in principle, free of charge, in accordance with open data principles⁵.

21 Public authorities should provide the widest possible access, both offline and online, to key documents and information without restrictions on analysis and re-use of such information.

Consultation

22 Consultation allows public authorities to collect the views of individuals, NGOs and civil society at large within an official procedure on a specific policy or topic.

23 Consultation may be carried out through various means and tools such as meetings in person, public hearings, focus groups, surveys and questionnaires and digital tools.

24 Public authorities should provide publicly available feedback on the outcomes of the consultation which should include information giving reasons for any decisions finally taken.

Dialogue

25 Dialogue is a structured long-lasting and results-oriented process which is based on mutual interest in the exchange of opinions between public authorities, individuals, NGOs and civil society at large.

26 Public authorities, NGOs and civil society at large may consider establishing different platforms as a permanent space for dialogue and participation. Such platforms may include regular public hearings, public forums, advisory councils or similar structures.

Active involvement

27 Active involvement refers to opportunities for civil participation in the decision-making process provided by public authorities to individuals, NGOs and civil society at large that extend beyond the provision of information, consultation or dialogue. It may include working groups and committees for the co-development of documents, policies and laws to be decided ultimately by the appropriate public authority.

⁵ Data should be complete, primary, timely, accessible, machine processable, non-discriminatory, non-proprietary, and license-free and compliance should be reviewable.

28 Where joint working groups or committees exist, public authorities should adopt transparent criteria and processes for representation of individuals, NGOs and civil society at large.

29 Various types of partnership involving public authorities and NGOs and representatives of civil society may be suitable at different stages of the decision-making process and may include partnerships relating to the implementation of decisions.

VI. Implementing measures

30 To enable civil participation member States should make the widest possible use of these guidelines and ensure their dissemination in order that the public authorities can take awareness raising measures and themselves further widely disseminate the guidelines, where necessary in their official language(s). This may include user-friendly guides, brochures or other tools, both offline and online, training for civil servants, and support for training measures for members of civil society.

31 Where appropriate member States should adopt or adapt any rules and measures to enable public authorities to make use of these guidelines.

32 Member States may wish to consider inviting civil society to:

- Communicate and disseminate information about opportunities for participation and to help facilitate input by broad segments of civil society concerned;
- Contribute to assessing the implementation of civil participation laws and regulations.

33 In order to evaluate the experience in member States with the practical application of these guidelines, the Committee of Minister may wish to consider asking the European Committee on Democracy and Governance (CDDG), together with the Conference of International Non-Governmental Organisations of the Council of Europe to ensure regular follow-up and provide feedback to the Committee of Ministers.

34 The Committee of Ministers may wish to transmit these guidelines to the Parliamentary Assembly, the Commissioner for Human Rights, the Congress of Local and Regional Authorities and the Conference of INGOs of the Council of Europe, as well as the European Commission for Democracy through Law (the 'Venice Commission') and invite them to disseminate and make the widest possible use of the guidelines in their own work.

APPENDIX

Reference TextsReference Texts from the Council of Europe*Secretary General*

Secretary General's Annual Report on the State of Democracy, Human Rights and the Rule of Law in Europe – A security imperative for Europe

[SG\(2016\)1E](#)

Secretary General's Annual Report on the State of Democracy, Human Rights and the Rule of Law in Europe – A shared responsibility for democratic security in Europe

[SG\(2015\)1E](#)

Secretary General's Annual Report on the State of Democracy, Human Rights and the Rule of Law in Europe – Report by the Secretary General of the Council of Europe

[SG\(2014\)1E](#)

Council of Europe Conventions

European Convention for the Protection of Human Rights and Fundamental Freedoms

[\[ETS 005\]](#)

European Charter of Local Self-Government

[\[ETS 122\]](#)

Additional Protocol to the European Charter of Local Self-Government on the right to participate in the affairs of a local authority

[\[CETS 207\]](#)

European Convention on the Recognition of the Legal Personality of International Non-Governmental Organisations

[\[ETS 124\]](#)

Convention on the Participation of Foreigners in Public Life at Local Level

[\[ETS 144\]](#)

European Charter for Regional or Minority Languages

[\[ETS 148\]](#)

European Convention for the Protection of National Minorities

[\[ETS 157\]](#)

European Social Charter (revised)

[\[ETS 163\]](#)

Council of Europe Convention on Access to Official Documents
[\[CETS 205\]](#)

Committee of Ministers

- Recommendations

Recommendation on the access of young people from disadvantaged neighbourhoods to social rights

[CM/Rec\(2015\)3E](#)

Recommendation on the protection of whistleblowers

[CM/Rec\(2014\)7E](#)

Recommendation on a Guide to human rights for internet users

[CM/Rec\(2014\)6E](#)

Recommendation on the participation of children and young people under the age of 18

[CM/Rec\(2012\)2E](#)

Recommendation on the participation of persons with disabilities in political and public life [CM/Rec\(2011\)14](#)

Recommendation on the Council of Europe Charter on Education for Democratic Citizenship and Human Rights Education

[CM/Rec\(2010\)7E](#)

Recommendation on measures to combat discrimination on grounds of sexual orientation and gender identity

[CM/Rec\(2010\)5E](#)

Recommendation on the evaluation, auditing and monitoring of participation and participation policies at local and regional level

[CM/Rec\(2009\)2E](#)

Recommendation on electronic democracy (e-democracy)

[CM/Rec\(2009\)1E](#)

Recommendation on the legal status of non-governmental organisations in Europe

[CM/Rec\(2007\)14E](#)

Recommendation of the Committee of Ministers to member states on media pluralism and diversity of media content (*Adopted by the Committee of Ministers on 31 January 2007 at the 985th meeting of the Ministers' Deputies*)

[CM/Rec\(2007\)2](#)

Recommendation on the citizenship and participation of young people in public life

[CM/Rec\(2006\)14E](#)

Recommendation on the role of national youth councils in youth policy development
[CM/Rec\(2006\)1E](#)

Recommendation on electronic governance ("e-governance")
[CM/Rec\(2004\)15E](#)

Recommendation on the participation of young people in local and regional life
[CM/Rec\(2004\)13E](#)

Recommendation on balanced participation of women and men in political and public decision-making
[CM/Rec\(2003\)3E](#)

Recommendation on access to official documents
[CM/Rec\(2002\)2E](#)

Recommendation on the participation of citizens in local public life
[CM/Rec\(2001\)19E](#)

Recommendation on gender mainstreaming
[CM/Rec\(98\)14E](#)

- Resolutions

Resolution on the participatory status for international non-governmental organisations with the Council of Europe
[CM/Res\(2016\)3](#)

- Guidelines

Guidelines of the Committee of Ministers to member States on the protection and promotion of Human rights in culturally diverse societies
[CM/Del/Dec\(2016\)1249/4.6-app8](#)

- Declarations

Nafplion Declaration: Promoting Territorial Democracy in Spatial Planning
[16CEMAT-2014-5-RES1-E](#)

Declaration on the Code of Good Practice for civil participation in the decision-making process
[Decl\(21.10.2009\)E](#)

Declaration of the Committee of Ministers on the role of community media in promoting social cohesion and intercultural dialogue (*Adopted by the Committee of Ministers on 11 February 2009 at the 1048th meeting of the Ministers' Deputies*)
[Decl\(11.02.2009\)](#)

Declaration: Making gender equality a reality
[CM\(2009\)68E final](#)

Declaration of the Committee of Ministers on Council of Europe action to improve the protection of human rights defenders and promote their activities (*Adopted by the Committee of Ministers on 6 February 2008 at the 1017th meeting of the Ministers' Deputies*)
[Decl\(06.02.2008\)](#)

Valencia Declaration: Strategy for Innovation and Good Governance at Local Level (15-16 October 2007)
[CM\(2008\)14-add](#)

Parliamentary Assembly

- Resolutions

Resolution (2096) on "How can inappropriate restrictions on NGO activities in Europe be prevented?"
[Resolution 2096 \(2016\)](#)

Resolution 2095 (2016) on Strengthening the protection and role of human rights defenders in Council of Europe member States
[Resolution 2095 \(2016\)](#)

Resolution « Democracy in Europe: Crisis and perspectives »
[Resolution 1746 \(2010\)¹](#)

Resolution on the protection of « whistle-blowers »
[Resolution 1729 \(2010\)](#)

Resolution on the Co-operation between the Assembly and the Conference of INGOs
[Resolution 1589 \(2007\)¹](#)

- Recommendations

Recommendation 2086 (2016) How can inappropriate restrictions on NGO activities in Europe be prevented?
[Recommendation 2086 \(2016\)](#)

Recommendation 2085 (2016) Strengthening the protection and role of human rights defenders in Council of Europe member States
[Recommendation 2085 \(2016\)](#)

Recommendation on Democracy in Europe: crisis and perspectives
[Recommendation 1928 \(2010\)¹](#)

Recommendation on promoting the participation by children in decisions affecting them
[Recommendation 1864 \(2009\)E](#)

Congress of Local and Regional Authorities

The Congress European Urban Charter II: manifesto for a new urbanity (2008)
[European Urban Charter II](#)

Revised European Charter on the participation of young people in local and regional life
[\(21 May 2003\)](#)

- Resolutions

Resolution on Fostering active citizenship by building partnerships with civil society
[Resolution 385 \(2015\)](#)

Conference of INGOs

Expert Council on NGO Law, Review of Developments in Standards, Mechanisms and Case Law 2013-2015
[OING Conf/Exp \(2015\) 2](#)

Expert Council on NGO Law, Regulating Political Activities of Non-governmental Organisations, 2015
[OING Conf/Exp \(2015\) 3](#)

European Commission for Democracy through Law (Venice Commission)

Joint Guidelines of the Venice Commission and the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) on Freedom of Association
[CDL-AD\(2014\)046E](#)

European Committee on Democracy and Governance (CDDG) – Joint Working Group of the CDDG and the Conference of INGOs

Civil participation in decision-making processes – Overview of Standards and Practices in Council of Europe Member States (May 2016)
[\[ECNL-COE\]](#)

[Code of good practice](#) for civil participation in the decision-making process - is the definition of a set of European principles and guidelines for NGO participation in decision-making processes that are to be implemented at local and national level in Council of Europe member States.

Texts of other International Organisations

European Union

Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community
[\(2007/C306/01\)](#)

Communication from the Commission - Towards a reinforced culture of consultation and dialogue - General principles and minimum standards for consultation of interested parties by the Commission;
[COM/2002/0704](#)

European Union, Commission of the European Communities COM(2001) 428, White Paper on European Governance
[COM/2001/428](#)

Organisation for Security and Cooperation in Europe (OSCE)

Recommendations on Enhancing the Participation of Associations in Public Decision-Making Processes from the Participants to the Civil Society Forum Organised on the Margins of the 2015 Supplementary Human Dimension Meeting on Freedoms of Peaceful Assembly and Association, April 2015
[HDIM.NGO/0033/15](#)

United Nations

International Covenant on Civil and Political Rights, 16 December 1966, United Nations, Treaty Series, vol. 999, p. 171
[CCPR 16/12/1966](#)

Convention on the Rights of Persons with Disabilities and Optional Protocol
[Convention](#)

- *UN Human Rights Council*

Resolution on Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development. – Equal participation in political and public affairs
[A/HRC/33/L.28](#)

Practical recommendations for the creation and maintenance of a safe and enabling environment for civil society, based on good practices and lessons learned, 11 April 2016
[A/HRC/32/20](#)

Equal participation in political and public affairs: resolution / adopted by the Human Rights Council, 12 October 2015

[A/HRC/RES/30/9](#)

Civil society space: resolution adopted by the Human Rights Council, 03 October 2014

[A/HRC/RES/27/31](#)

Civil society space: creating and maintaining, in law and in practice, a safe and enabling environment: resolution / adopted by the Human Rights Council, 9 October 2013

[A/HRC/RES/24/21](#)

- *UN Human Rights Committee*

General Comment No. 25 : *The Rights to participate in public affairs, voting rights and the right of equal access to public service* (Art. 25), 27 August 1996

[CCPR/C/21/Rev.1/Add.7](#)

- *UN Economic Commission for Europe*

UN Economic Commission for Europe (UNECE), Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters ("Aarhus Convention") 1998

[Aarhus Convention](#)

APPENDIX V



*At the occasion of the Czech Chairmanship of the Committee of Ministers of the Council of Europe,
Ministry of the Interior of the Czech Republic organises*

International Conference „Quality of Public Administration at Local and Regional Level“

Draft Programme

20 – 21 September 2017, Prague

Venue: City Hall of the Capital City of Prague, Mariánské nám. 2, Prague 1 – Old Town

Day One, 20 September 2017		
9:30 – 10:00	30 min	Registration of participants, coffee
	30 min	Opening of the Conference, welcome speeches
10:00 – 10:30	10	Minister of Interior of the Czech Republic
	10	Lord Mayor of the Capital City of Prague
	10	Representative of the Council of Europe (DG II, CDDG)
10:30 – 12:00	90 min	Morning Session
	15	Current activities, achievements in the field of local and regional democracy (e. g. 12 principles) <u>CoE</u> (CDDG, Centre of Expertise)
	15	Communities and Regions for Sustainable Development and Quality of Life <u>Petr Svec</u> , <i>Director of Healthy Cities of the Czech Republic</i>
	15	Activities of Association of Regions of the Czech Republic in improving the quality of public administration <u>Jan Hodovsky</u> , <i>Director of the Office of Association of Regions of the Czech Republic</i>
	15	Development of digital participatory democracy tools D-Cent: Decentralized Citizens Enabling Technology (the Netherlands) <u>Jan Willem Koopstra</u> , <i>Deputy head section Democracy, Ministry of the Interior and Kingdom Relations (to be confirmed)</i>
	15	Czech Point (network of Czech one-stop-shops)
	15	Discussion
12:00 – 13:00	60 min	Lunch (Residence Hall of the Lord Mayor – across the street)
13:00 – 15:00	120 min	Afternoon Session – Part 1
	10	Friendly Office (Czech Ministry of Interior)
	60	Examples of good practice from local level

	15	City of Most – “Moving Office” <i>Jaroslav Mares, Head of the Department of Administrative Activities</i>
	15	City of Pilsen – Mobile Application “Pilsen – Citizen” <i>Radek Kalarik, Information Technology Management of the City of Pilsen, p.o.</i> <i>Petr Vaaner, Head of the Office of the Secretary of the City of Pilsen</i>
	15	City of Litoměřice – office for everyone <i>Milan Čigas, Secretary of the City of Litoměřice</i>
	15	Contact Points <i>Adrian Jenčo, General Director of the Public Administration Section, Ministry of the Interior of the Slovak Republic</i>
	15	Government window (Hungary) <i>David Szabo, Deputy Head of Department, Department for Development Programmes and Monitoring (to be confirmed)</i>
	15	Citizen’s Shop, Citizen’s Portal, Lost wallet (Portugal) <i>Ana Sofia Figueiredo, Senior Expert, AMA – Agency for the Administrative Modernization (to be confirmed)</i>
	30	Discussion
15:00 – 15:30	20 min	Coffee break
	120 min	Afternoon Session – Part 2
	15	E-ID (Ministry of the Interior of the Czech Republic)
	15	Data Boxes (Ministry of the Interior of the Czech Republic)
	15	E-Estonia (Estonia) <i>Janek Rozov, Head of the Department of the Information Society Services Development Department, Ministry of Economic Affairs and Communication</i>
15:30 – 17:30	15	National Catalogue of Open Data (Ministry of the Interior of the Czech Republic)
	15	Public Administration in Numbers – Dashboard (Ministry of the Interior of the Czech Republic)
	15	Digital Austria (Austria) <i>Christian Rupp, Spokesperson of the Federal Platform Digital Austria</i>
	30	Discussion
17.30 – 18:30		Light Dinner (Residence Hall of the Lord Mayor – across the street)

Day 2 – 21 September 2017

Excursion to the territory focused on operation of local or regional authorities



Ministry of the Interior of the Czech Republic organises

International Conference

QUALITY OF PUBLIC ADMINISTRATION AT LOCAL AND REGIONAL LEVEL

Dates:

20 – 21 September 2017

Venue:

City Hall of the Capital City
of Prague

Mariánské náměstí 2
Prague 1 – Old Town



Where and when will the conference take place?

- The Conference "**Quality of public administration at local and regional level**", organised by the Ministry of Interior of the Czech Republic, will be held on **20 – 21 September 2017** under the auspices of the Lord Mayor of the Capital City of Prague and the Association of Regions of the Czech Republic;
- the first day of the Conference will take place in the **City Hall of the Capital City of Prague, Mariánské náměstí 2, Prague 1 – Old Town** (near metro station "Staroměstská");



- during the second day, an **excursion to a local or regional office** is planned with the aim to present practical functioning of local and regional authorities;
- participants will comprise mainly experts from ministries and territorial authorities from the Czech Republic and Council of Europe's Member States, as well as representatives of NGOs and academics;
- simultaneous interpretation will be provided in **English, Czech and French**.

What will be the main points of the conference agenda?

The programme of the conference will be primarily focused on:

- good examples of efficient and transparent operation of local and regional authorities;
- quality of the provided services and co-operation with local stakeholders;
- simplification and use of electronic tools in territorial public administration;
- presentations of high-level representatives and experts of the Council of Europe and examples of good practice from the Member States of the Council of Europe.

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