



CIVIL PARTICIPATION IN THE DECISION-MAKING PROCESS

THE CODE OF GOOD PRACTICE

**CIVIL PARTICIPATION:
WHY IS IT IMPORTANT?
HOW DOES IT WORK?
HOW CAN WE IMPROVE IT?**

One of the major concerns of modern democracies is the alienation of citizens from the political processes. In this context civil society constitutes an important element providing citizens with an alternative way, alongside elections, of making their voice heard and working for the community.

WHAT IS THE CODE OF GOOD PRACTICE?

Drafted by the Conference of INGOs of the Council of Europe and adopted in October 2009, the Code of Good Practice for Civil Participation in the Decision-Making Process aims at facilitating NGO participation in the political decision-making process at local, regional and national level.

The Code, drawing upon practical experiences and tried-and-tested methods from various countries in Europe, defines a set of general principles, guidelines, tools and mechanisms for civil participation.

Elaborated using a multi-stakeholder approach, the Code has the support of the Council of Europe:

- › the Committee of Ministers gives its support in a Declaration in which it “recognises the importance of the Code of Good Practice as a reference document for the Council of Europe, and as a basis for the empowerment of citizens to be involved in conducting public affairs in European countries”;
- › the Parliamentary Assembly underlines “the clear need for guidelines and good practices in this field”;
- › the Congress of Local and Regional Authorities is “ready to contribute to the promotion of this reference tool”.

WHAT IS THE OBJECTIVE OF THE CODE?

NGOs have become a vital part of society and the benefits they bring to society and improved governance are generally accepted. NGOs bring knowledge and expertise to the process of decision-making which has led governments to draw on the experience of NGOs to assist them in policy development and implementation. The Code of Good Practice aims to provide a framework and guidelines for improving this participation, to learn from each other through sharing good practices and bringing them to the attention of NGOs and public authorities alike.



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WHO CAN USE IT?

The Code is addressed to public authorities and civil society. It can be used by NGOs from local to national and international level in their dialogue and co-operation with parliament, government and public administration. In relation to the Code of Good Practice the term NGO is taken to refer to organised civil society including voluntary groups, non-profit organisations, associations, foundations, charities, as well as geographic or interest-based community and advocacy groups.

THE FOUR PRINCIPLES REQUIRED TO FOSTER A CONSTRUCTIVE RELATIONSHIP

PARTICIPATION NGOs collect and channel views of the citizens. This is a valuable input to the political decision-making process, enhancing the quality, understanding and longer term applicability of the policy initiative.

TRUST An open and democratic society is based on honest interaction between actors and sectors. Although NGOs and public authorities have different roles to play, the shared goal of improving the lives of people can only be satisfactorily reached if based on trust, implying transparency, respect and mutual reliability.

ACCOUNTABILITY AND TRANSPARENCY Acting in the public interest requires openness, responsibility, clarity and accountability from both the NGOs and public authorities, with transparency at all stages.

INDEPENDENCE NGOs must be recognised as free and independent bodies in respect to their aims, decisions and activities. They have the right to act independently and advocate positions different from the authorities with whom they may otherwise cooperate.

THE CONDITIONS REQUIRED TO CREATE AN ENABLING ENVIRONMENT

- › THE RULE OF LAW
- › ADHERENCE TO FUNDAMENTAL DEMOCRATIC PRINCIPLES
- › POLITICAL WILL
- › FAVOURABLE LEGISLATION
- › CLEAR AND PRECISE PROCEDURES
- › LONG-TERM SUPPORT AND RESOURCES FOR A SUSTAINABLE CIVIL SOCIETY
- › SHARED SPACES FOR DIALOGUE AND COOPERATION

If these conditions are met, a constructive relationship between NGOs and public authorities can be built on reciprocal trust and mutual understanding.

HOW TO ENGAGE: HOW CIVIL SOCIETY MAY PARTICIPATE IN THE DECISION –MAKING PROCESS

THE DIFFERENT LEVELS OF PARTICIPATION

The involvement of NGOs in the different steps of the political decision-making process varies based on the intensity of participation. There are four levels of participation sorted from least to most participative.



INFORMATION A relatively low level of participation which usually consists of a one-way provision of information from the public authorities and no interaction or involvement with NGOs is required or expected.

CONSULTATION Public authorities may ask NGOs for their opinion on a specific policy topic or development. The initiative and themes originate with the public authorities, not with the NGOs.

DIALOGUE The initiative for dialogue can be taken by either party and can be either broad or collaborative.

› **Broad dialogue** is a two-way communication built on mutual interests and potentially shared objectives to ensure a regular exchange of views. It ranges from open public hearings to specialised meetings between NGOs and public authorities.

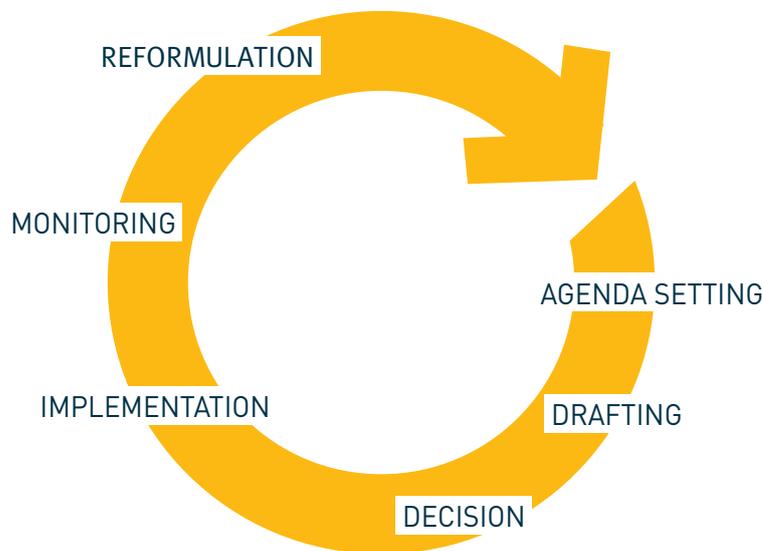
› **Collaborative dialogue** is built on mutual interests for a specific policy development. Collaborative dialogue is more empowered than the broad dialogue as it consists of joint, often frequent and regular, meetings to develop core policy strategies and often leads to agreed outcomes such as a joint recommendation or legislation.

PARTNERSHIP The highest level of participation where NGOs and the public authorities co-operate closely together while ensuring that the NGOs continue to be independent and have the right to campaign and act irrespective of a partnership situation. Partnership can include activities such as provision of services, participatory forums and the establishment of co-decision-making bodies.



HOW TO ENGAGE: HOW CIVIL SOCIETY AND PUBLIC AUTHORITIES MAY INTERACT IN THE CYCLE OF THE POLITICAL DECISION- MAKING PROCESS

There are six steps in the cycle of the decision-making process and NGOs and public authorities can interact at each of these.



AGENDA SETTING The political agenda is agreed by the parliament and government and processes vary by country. At this step NGOs often shape the agenda through campaigns and lobbying for issues, needs and concerns on behalf of a collective interest and act in a way that is complementary to political debate.

DRAFTING Usually well-established processes for policy drafting exist. Here NGOs are often involved in identifying problems, proposing solutions and providing evidence for their preferred proposal. Facilitating opportunities for consultation should be a key element in this step to collect input from key stakeholders.

DECISION Even if the forms of political decision-taking vary based on national context and legislation, common characteristics are the establishment of a government policy directive by a ministry; or legislation, such as passing a law by parliamentary vote; or public referendum. Draft laws and motions should be open to input and participation of NGOs so the public authorities can evaluate different views and opinions before the decision is taken.

IMPLEMENTATION This is the step at which many NGOs are most active, for example in service delivery and project execution. This phase is especially important to ensure that the intended outcome will be fulfilled. Access to clear and transparent information on expectations and opportunities is important at this step, as well as active partnerships.

MONITORING At this stage NGOs monitor and assess the outcomes of the implemented policy. It is important to have in place an effective and transparent monitoring system that ensures the policy/programme achieves the intended purpose.

REFORMULATION The knowledge gained from assessing the policy implementation, coupled with evolving needs in society, often require a reformulation of policy. This must be based on access to information and opportunities for dialogue to identify needs and initiatives.



HOW TO ENGAGE: THE TOOLS AND MECHANISMS WHICH ENABLE CIVIL PARTICIPATION

Civil participation throughout the whole decision-making process can be greatly helped by the provision of practical tools.

› E-PARTICIPATION

- › **CAPACITY-BUILDING** such as training courses, exchange programmes
- › **STRUCTURES** such as co-ordinating bodies created by governments
- › **FRAMEWORK DOCUMENTS** such as bilateral agreements which lay out the basis for the relationship between public authorities and NGOs.

HOW TO USE THE CODE

WHAT CAN NGOS DO?

The Code can be used by NGOs in various ways: in their internal work when planning activities and finding ways on how to engage; in their discussions with public authorities on how to start co-operation or take stock of existing co-operation and identify areas for improvement. They can also use it to build awareness to their work, to promote the key principles for a good working relationship with authorities and to develop mechanisms for engagement.

WHAT CAN PUBLIC AUTHORITIES DO?

By referring to the Code and the different possibilities of participation and interaction that exist, public authorities can take stock of their existing procedures in their relations with NGOs, see where there is room for improvement and take the necessary steps to modify their practices to encourage increased NGO participation in the decision-making process.



USING THE MATRIX OF PARTICIPATION: MAPPING THE PROCESS

In order to illustrate and clarify the relationship, the matrix visualises the steps of the political decision-making process and their connection with levels of participation. At each stage in the decision-making process (from left to right) there are different levels of NGO participation (from bottom to top). It is envisaged that the steps in the political decision-making process can be applied to any context in Europe, local to national.

This matrix may be used in a wide variety of ways, such as mapping the levels of engagement of civil society in any given policy process; assessing NGO participation at any particular point of a process; or as a practical resource for NGO planning of policy activities. It can identify ways to enhance participation by moving up a level of participation or interaction in the cycle of the decision-making process.

MATRIX OF CIVIL PARTICIPATION

Levels of participation						
PARTNERSHIP	<ul style="list-style-type: none"> Working group or committee 	<ul style="list-style-type: none"> Co-drafting 	<ul style="list-style-type: none"> Joint decision-making Co-decision making 	<ul style="list-style-type: none"> Strategic partnerships 	<ul style="list-style-type: none"> Working groups or committee 	<ul style="list-style-type: none"> Working groups or committee
DIALOGUE	<ul style="list-style-type: none"> Hearings and public forums Citizens' forums and future councils Key government contact 	<ul style="list-style-type: none"> Hearings and Q&A panels Expert seminars Multi-stakeholder committees and advisory bodies 	<ul style="list-style-type: none"> Open plenary or committee sessions 	<ul style="list-style-type: none"> Capacity-building seminars Training seminars 	<ul style="list-style-type: none"> Working groups or committee 	<ul style="list-style-type: none"> Seminars and deliberative forums
CONSULTATION	<ul style="list-style-type: none"> Petitioning Consultation online or other techniques 	<ul style="list-style-type: none"> Hearings and Q&A panels Expert seminars Multi-stakeholder committees and advisory bodies 	<ul style="list-style-type: none"> Open plenary or committee sessions 	<ul style="list-style-type: none"> Events Conferences Forums Seminars 	<ul style="list-style-type: none"> Feedback mechanisms 	<ul style="list-style-type: none"> Conferences or meetings Online consultation
INFORMATION	<ul style="list-style-type: none"> Easy and open information access Research Campaigning and lobbying Website for key documents 	<ul style="list-style-type: none"> Open and free access to policy documents Website for key documents Campaigns and lobbying Web casts Research input 	<ul style="list-style-type: none"> Campaigning and lobbying 	<ul style="list-style-type: none"> Open access to information Website for information access E-mail alerts FAQ Public tendering Procedures 	<ul style="list-style-type: none"> Open access to information Evidence gathering Evaluations Research studies 	<ul style="list-style-type: none"> Open access to information
Steps in the political decision making process	AGENDA SETTING	DRAFTING	DECISION	IMPLEMENTATION	MONITORING	REFORMULATION

The Code of Good Practice for civil participation in the decision-making process is available in different languages.

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