CODE OF GOOD PRACTICE FOR CIVIL PARTICIPATION IN THE DECISION-MAKING PROCESS

REVISED

adopted by the Conference of INGOs on 30 October 2019

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1. Introduction

One of the major concerns of modern democracies is the alienation of citizens from the political process. In this context, as in many others, civil society constitutes an important element of the democratic process. It provides citizens with an alternative way, alongside those of political parties and lobbies, of channeling different views and securing a variety of interests in the decision-making process.

The Committee of Ministers of the Council of Europe recognised in its Recommendation (2007)14 to member States "the essential contribution made by NGOs to the development and realisation of democracy and human rights, in particular through the promotion of public awareness, participation in public life and securing the transparency and accountability of public authorities".

At the meeting of the Council of Europe Forum for the Future of Democracy, held in Sweden in June 2007, participants called on the Conference of INGOs of the Council of Europe (hereafter "the Conference") to prepare a Code of Good Practice for Civil Participation – which would cover subjects such as mechanisms for NGO participation in decision-making processes, and civil society involvement in public policy.

As such, the Conference built upon this by taking the responsibility to draft a Code of Good Practice for Civil Participation in the decision-making process. The document laid out the rationale, framework and the means for enhanced civil participation. It was prepared by experienced civil society representatives, elaborated in a pan-European consultation process, tested and commented on by members of national and international non-governmental organisations (NGOs), and has been used by activists and representatives of authorities.

With the aim of producing a user-friendly, structured and pragmatic instrument for decision makers and organised civil society, including NGOs, the Conference sought advice and input from other bodies of the Council of Europe. Both the Congress of Local and Regional Authorities (hereafter "the Congress") and the Parliamentary Assembly welcomed the Code of Good Practice. The Congress was willing to promote the Code and use it in its own work, whilst the Parliamentary Assembly highlighted the particular importance of e-tools in participation.

As such, the Conference adopted the Code at its meeting on 1 October 2009.

Several documents of the Council of Europe have highlighted since the importance of a good civil participation in decision making for good governance. Without being exhaustive some shall be mentioned here specifically, such as the 12 Principles for Good Governance, the recommendation of the Committee of Ministers on Participation of Citizens in Local Public Life (CM/Rec(2018)4) or the recent recommendation of the Committee of Ministers on the Protection of Civic Space, which especially reacts to recent challenges to the freedom of association and the free expression of opinions by civil society and NGOs in Europe.

At the 1295th meeting of the Ministers' Deputies on 27 September 2017, the Committee of Ministers adopted CM(2017)83, *Guidelines for civil participation in political decision making,* underlining the centrality of citizens' participation to democracy.

Thus, due to societal and technological advancements in an ever-evolving world, the original Code of 2009, produced by the Conference of INGOs, needed to be revised. It was with this background that, on 6 November 2018, the Conference of INGOs and the Congress of Local and Regional Authorities held a joint meeting to discuss revisions that needed to be implemented, and that has subsequently led to this updated Code.

It offers herein a repertoire of good practices outlined in the 'toolkit'. It does not, however, have a mandatory character, does not prescribe rules, or require enforcement mechanisms. It offers all actors in the democratic process guidelines stemming from concrete practical experience of dialogue, and co-operation between NGOs and public authorities. The ultimate aim is to facilitate interaction, and to enhance citizens' empowerment and participation in the democratic process at local, regional and national levels.

This instrument should have, and will have, political repercussions. It will give impetus and backing to the current trend among local, regional and national authorities to consult and cooperate with civil society, in bringing modern tools to democratic governance, and at the same time, deepening citizen participation in public life.

2. Objectives and targets

The principal objective of this Code of Good Practice for Civil Participation is to contribute to the creation of an enabling environment for NGOs in Council of Europe member States, as well as in Belarus. To do so, the Code aims to define a set of general principles, guidelines, tools and mechanisms for civil participation in the political decision-making process. The Code is intended to be implemented at the local, regional and national level. It is based on practical experiences from NGOs across Europe, and the sharing of their good practices and valid methods to engage with public authorities.

An additional objective of the Code of Good Practice is to be a relevant and effective tool for NGOs – from the local to international level – in their dialogue with parliaments, governments and public authorities. It aims to be an interactive and action-oriented instrument, so that NGOs and public authorities across Europe can effectively utilize it. A toolkit with good, but also including less successful or unsatisfying, practice examples will accordingly be provided to support the Code.

The Code of Good Practice is aimed at NGOs on all levels, including local and regional organisations in Council of Europe member States and Belarus, as well as at organisations at the European and international level.

It is also targeted at public authorities – which include parliament, government, and public administration at the local, regional and national level. Despite the target audience being broad, certain segments of the Code can be used at all levels of public administration.

3. General Framework for Civil Participation

3.1 Parameters of Civil Society

NGOs and organised civil society are essential contributors to the development and realisation of democracy and human rights. A Council of Europe definition of NGOs can be found in the Committee of Ministers Recommendation (2007)14, which states that "NGOs are voluntary self-governing bodies or organisations established to pursue the essentially non-profit-making objectives of their founders or members."

In the light of global economic developments and the ever growing importance of the corporate sector it is of the utmost importance to develop collaborative relations with regards to NGOs. NGOs are also actively seeking collaboration with, for instance, the private sector. Collaboration or partnership with the corporate sector allows NGOs to receive considerable funding. It also allows to corporate sector to contribute actively to a healthy democratic society.

In relation to this Code of Good Practice for Civil Participation, NGOs 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 core activities of NGOs are focused on values of social justice, human rights, democracy and the rule of law. In these areas, the purpose of NGOs is to promote causes and improve the lives of people.

NGOs form a crucial component of participation in an open, democratic society through engaging large numbers of individuals. The fact that most of these individuals are also *voters* underlines the complementary relationship with representative democracy.

NGOs can bring benefits of knowledge and independent expertise to the decision-making process. This has led governments – from the local and regional level, to the national level – as well as international institutions, to draw on the relevant experience and competence of NGOs to assist in policy development and implementation. NGOs enjoy a unique trust from their members and society to voice concerns, to represent their interests and to gain involvement in causes, thereby providing crucial input into policy development.

This text highlights the contribution of organised civil society in the democratic process and is also directed to single citizens. In this case it is understood that the act of developing associations and community organisations constitutes an act of independent social organisation and is not purely centred on individual action. It is understood that organised groups exist to further the needs of their members, and for the benefit of wider society. They therefore act as a key channel of participation and multiplier for the engagement of citizens.

3.2 Principles for Civil Participation

To foster a constructive relationship, NGOs and public authorities at different levels should act on the following common principles:

a. Openness
NGOs collect and channel views of their members, user groups and concerned citizens. This input provides crucial value to the political decision-making process, enhancing the quality, understanding and longer-term applicability of the policy initiative. A pre-condition for this principle is that the processes for participation are open and accessible, based on agreed parameters for participation.

b. Trust

An open and democratic society is based on honest interaction between actors and sectors. Although NGOs and the 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.

c. 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 different positions from the authorities with whom they may otherwise cooperate. They must be independent from the direct control of any government. NGOs must not be constituted as a political party. Respect must be shown for NGOs, whether their opinions are consistent with those of the public authorities or not.

d. Participation

NGOs have the right to participate in governmental and quasi-governmental mechanisms at all levels without discrimination in dialogue and consultation on public policy objectives and decisions. Such participation should ensure the free expression of the diversity of people's opinions as to the functioning of society (Recommendation CM/Rec(2007)14 of the Council of Europe Committee of Ministers to member states on the legal status of non-governmental organisations in Europe, VII, 76).

This principle also applies to the regulatory impact assessment for new legislation as well as public projects, which is a crucial process to ensure good legislation and minimize collateral negative side effects. In this process civil society can make a valuable contribution from grass root experience as well as professional expertise.

The following principles have additionally been enumerated to enhance civil participation:

i. Transparency

All processes must be transparent and open to scrutiny from both sides, administration as well as NGOs. Timely public access to all documents, drafts, decisions and opinions relevant for participation process is essential. Access to information must be ensured. In the same way civic participants / NGOs must state their objectives, vested interests and possible conflicts of interest.

ii. Accessibility

Civil participation should be propagated via the use of clear language and appropriate means of participation, offline or online, and on any device – based on agreed frameworks for participation;

iii. Non-discrimination

Civil participation should take all voices into account and make them heard, including those of the less privileged and most vulnerable. Therefore, it must avoid all measures in the proceedings, ways of publication of information, organization of meetings and hearings etc. which would exclude interested persons or groups from participating.

iv. Inclusiveness

Civil participation should include all groups with particular interests and needs, such as young people, the elderly, and people with disabilities or minorities. Many of these groups do not respond easily to a call of participation. Therefore, pro-active measures should be taken to reach out to these groups, empower them to participate and aid them in the process.

v. Accountability

Any process of participation must be directed to produce results and be open to change the original proposals. These results must be documented and made available to the public. All decision makers take responsibility for their decisions; decisions are reasoned, subject to scrutiny and can be sanctioned; remedies exist for maladministration or wrongful decisions.

3.3 Conditions for Civil Participation

The conditions to enable associational life are well documented. In accordance with the European Convention on Human Rights and Fundamental Freedoms (ECHR), these require freedom of expression (Article 10 ECHR), freedom of assembly and association (Article 11 ECHR), and the relevant case law of the European Court for Human Rights. To ensure that the essential contributions of NGOs are enshrined in the political decision-making process without discrimination, an enabling environment is required. Conditions of an enabling environment include the rule of law, adherence to fundamental democratic principles, political will, favourable legislation, clear procedures, long-term support and resources for a sustainable civil society, and shared spaces for dialogue and cooperation. These conditions allow for a constructive relationship between NGOs and the public authorities, built on reciprocal trust and mutual understanding for *participatory democracy*.

4. How to Engage

To meet the principal policy objective of the Code of Good Practice for Civil Participation, as well as to ensure its relevance and practical applicability for NGOs in their involvement in the political decision-making process, this section outlines how civil society may participate.

There are two interconnected dimensions to this process. Firstly, levels of participation are described in section 4.1, sorted in order of increasing intensity – from simple provision of information to consultation, dialogue, and finally, partnership between NGOs and the public authorities. Secondly, the steps in the political decision-making process are outlined in section 4.2, namely the seven steps taken by the public authorities from input, agenda setting, drafting, decision, through to implementation, monitoring and reformulation.

A separate section (4.3) offers an insight into cross-cutting tools and mechanisms for civil participation that may apply to any stage.

These elements are then combined to form a toolkit of civil participation in the final section (5).

4.1   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 gradual levels of participation, from least to most participative. These are information, consultation, dialogue, and partnership. They can be applied at any step in the decision-making process, yet specific levels are more often relevant at certain points in the process.
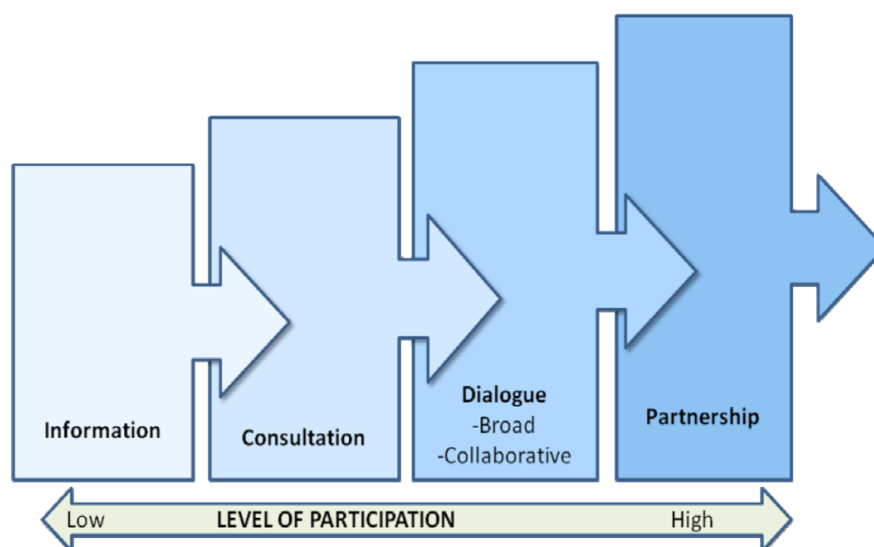
a. Information
Access to information is the basis for all subsequent steps in the involvement of NGOs in the political decision-making process. This is a relatively low level of participation which usually consists of a one-way provision of information from the public authorities, and no interaction or involvement with NGOs is required or expected.

It includes the right of the public to access all information (e.g., drafts, comments and reasoning) throughout the entire policy cycle. The public authority should ensure that the public receives timely and accurate information relevant for the process.

Information is relevant at all stages in the decision-making process.

b. Consultation

This is a form of initiative where the public authorities may ask NGOs for their opinion on a specific policy topic or development. Consultation usually involves the authorities informing NGOs of current policy developments and asking for comments, views and feedback. The initiative and themes originate with the public authorities, and not with NGOs.

Consultation is relevant for all steps in the decision-making process, namely for drafting, monitoring and reformulation.

c. Dialogue

The initiative for dialogue can be taken by either party and can be **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. The discussion remains wide ranging and is not explicitly linked to a current policy development process.

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

Dialogue is highly valued at all steps in the political decision-making cycle, but is particularly crucial for agenda setting, drafting and reformulation.

d. Partnership

A partnership implies shared responsibilities in each step of the political decision-making process from agenda setting, drafting, decision and implementation of policy initiatives. It is the highest form of participation.

At this level, NGOs and the public authorities come together to closely cooperate - all whilst ensuring NGOs(remaining independent) have the right to campaign and act, irrespective of a partnership situation. Partnership can include activities such as delegating a specific task to an NGO – i.e. delivery of services – as well as participatory forums, and the establishment of co-decision-making bodies, for resource allocation.

Partnership may take place at all steps of the political decision-making process and is particularly relevant at the agenda setting or implementation steps.

4.2 Steps in the political decision-making process

The cycle below defines the seven different steps of the political decision-making process: Input/incentive ideas, agenda setting, drafting of policy, decision-making, implementation of policy, monitoring and reformulation of policy. Each step offers opportunities for NGOs and public authorities to interact.
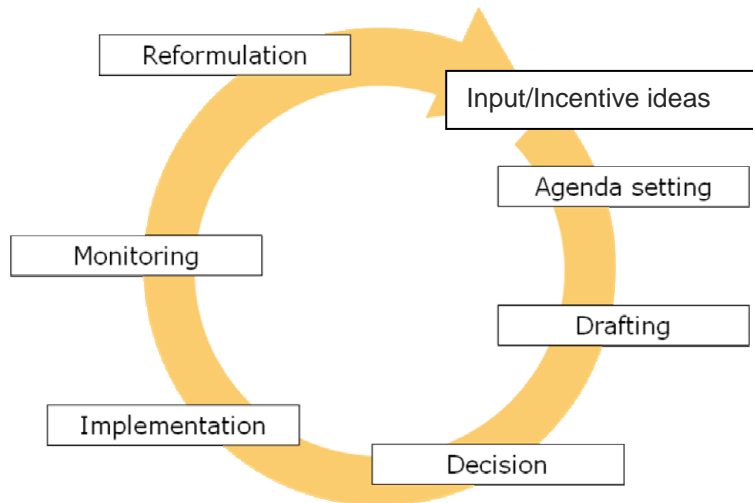
In the following list of activities examples are given in a non-exhaustive way and do not exclude any other appropriate measures to be taken.

a. Input /incentive ideas

Civil participation should start in the first stage of any decision-making process, when ideas and incentives for future legislation, developments etc. are gathered. The incentive for such new movements may also come from the civil society which expresses its needs and wishes to the government / administration.

b. Agenda setting

The political agenda is agreed by parliament and government, but can be shaped by NGOs, or groups of NGOs, through campaigns and lobbying for issues, needs and concerns. New policy initiatives are often the result of influence of the campaigns of NGOs. During this step, NGOs aim to influence decision-makers on behalf of a collective interest and act in a way that is complementary to political debate.

Contributions of NGOs:

- **Advocating:** raise issues, concerns and needs for a specific user group, point of view of a public interest that is not yet covered by legislation, or other policy documents, instruments or measures.
- **Information and awareness building:** share NGO findings with public authorities,
- Involve and represent members, users and key citizen groups, and act as channels to reach citizens; to listen, react and inform.
- **Expertise and advice:** experts with knowledge on a specific topic play a key role in setting the political agenda. Their analysis and research identify current and future needs in society and provide crucial perspectives.

- **Innovation:** development of new solutions and approaches; demonstrating how these may be brought onto the political agenda.
- **Service provision:** key actor in forming policy and creating alternative or non-existing services for a specific user group.

Responsibilities of public authorities:

- **Information sharing:** Provision of up-to-date accurate and timely information in an accessible format for all interested parties
- **Procedures:** Develop and adhere to a transparent decision-making process. Provide clear, open and accessible procedures for participation
- **Resource provision:** Enable the active participation of civil society through for example, budgetary provision, in-kind support or administrative services
- **Responsiveness:** Ensure active involvement of relevant public authority representatives; listen, react and give feedback

Useful tools and mechanisms:

- **Information:**
  - **Easy and open access** to relevant, accurate and timely **information** on the policy process, documents and political decision-makers, e.g. online databases.
  - **Research** to understand an issue of concern and develop suggested solutions.
  - **Campaigning** and **lobbying** by NGOs based on awareness-raising such as policy papers, posters and leaflets, websites, media releases and public demonstrations.
  - **Website** with comprehensive access to key documents and announcement of public events.

- **Consultation:**
  - **Petitioning** can be through online tools, such as e-petition or web-forum.
  - **Consultation,** online or other techniques, to collect interests and suggestions from stakeholders.

- **Dialogue:**
  - **Hearings and public forums** with interested stakeholders to identify and interpret the sensitivities and interests of the different groups.
  - **Citizens' forums and future councils** to discuss with citizens and NGOs.
  - **Key government contact** enabling civil society to access information on current policy initiatives.

- **Partnership:**
  - **Work group or committee** formed as a permanent or ad hoc expert group to advise on policy preferences.

c. Drafting

Public authorities usually have well-established processes for policy drafting. Here NGOs are often involved in areas such as identifying problems, proposing solutions and providing evidence for their preferred proposal with, for example, interviews or research. Facilitating opportunities for consultation should be a key element in this step, as well as various forms of dialogue to collect input from key stakeholders.

Contribution of NGOs:

- **Advocating:** guaranteeing that consideration is given to the needs and interests of stakeholders affected by the draft policy.
- **Information and awareness building:** NGOs inform members, users and key citizens' groups about the drafting process.
- **Expertise and advice:** provide analyses and research on issues under consideration or raise additional priorities to be included in the policy draft.
- **Innovation:** provide solutions through the introduction of new approaches, practical solutions and concrete models which bring benefits to specific user groups.
- **Service provision:** input to policy drafting to ensure consideration is given to their specific users' needs and that necessary conditions are met.
- **Watchdog function:** Follow the drafting process to make sure stakeholder concerns are considered and that the process is inclusive and transparent.

Responsibilities of public authorities:
- **Information sharing:** Provision of timely and comprehensive information on current consultation processes.
- **Procedures:** Develop and adhere to minimum consultation standards, such as clear objectives, rules for participation, timelines, contacts etc. Organise open consultation meetings, including invitation to all potential stakeholders.
- **Resource provision:** Provide adequate timelines and means for consultation to ensure participation of different levels of civil society.
- **Responsiveness:** Ensure active involvement of relevant public authority representatives; listen, react and give feedback to consultation responses.

Useful tools and mechanisms:
- **Information:**
    - o **Open and free access to policy documents**, including single information point for policy drafting, with information available in different formats to reach the public.
    - o **Website** with comprehensive access to key documents and announcement of public events.
    - o **Campaigns** and **lobbying** to shape the draft policy through position documents, letters, manifestos.
    - o **Web casts** from hearings, meetings and debates allowing people to watch and listen in real time.
    - o **Research** to provide input to the policy drafting process.

- **Consultation and dialogue:**
    - o **Hearings and questions & answer panels** with stakeholders to identify and interpret the sensitivities and concerns and collect proposals, face-to-face or online.
    - o **Expert seminars and meetings** involving experts in the development of specialised research or studies that can be used in the drafting.
        - o **Multi-stakeholder committees and advisory bodies** consisting of or including representatives from the NGO sector; could be permanent or ad-hoc.

- **Partnership:**
    - o **Co-drafting:** active involvement in drafting parts of the legislative process.

d. Decision
The forms of political decision-making 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, which then requires enabling legislation. Draft laws and motions should be open to input and participation of NGOs. The public authorities should evaluate different views and opinions before the decision is taken. At this step consultation is central to an informed decision. However, the final power of choice lies with the public authorities, unless the decision is taken by a public vote, referendum or a co-decision mechanism.

Contribution of NGOs:
- **Advocating:** influencing the decision makers before a vote.
- **Information and awareness building:** informing membership, users and key citizens' groups about the political decisions and their potential effect.
- **Expertise and advice:** provision of detailed analysis to inform and influence decision makers.
- **Watchdog function:** following the decision-making process, making sure it is democratic, transparent and optimally effective.

Responsibilities of public authorities:
- **Information sharing:** Provide information on policies currently in the decision-making process.
- **Procedures:** Offer and follow procedures for co-decision mechanisms where applicable.
- **Resource provision:** Enable and support the active participation of civil society by associating NGOs in the decision step.
- **Responsiveness:** Listen, take into consideration and respond to civil society input.

Useful tools and mechanisms:
- **Information:**
  - **Campaigning and lobbying** to influence the decision makers, for example using leaflets, websites, media releases and public demonstrations.
- **Consultation and dialogue:**
  - **Open plenary or committee sessions** to ensure open access to debates during the decision-making.

- **Partnership:**
  - **Joint decision-making** through forums, consensus conferences and other participatory meetings.
  - **Co-decision making** such as participative budgeting.

e. Implementation

This is the step at which many NGOs are most active, for example in service delivery and project execution. Much of the work done by NGOs in the previous steps includes attempts to influence the implementation of policy. 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.

Contribution of NGOs:
- **Information and awareness building:** primarily focused on public awareness raising, explanation of benefits or disadvantages and impact of policy.
- **Service provision:** one key actor in implementing policy initiatives, often carrying the main responsibility for delivery.
- **Watchdog function:** to assess and ensure that the policy is implemented as intended without harmful side-effects.

Responsibilities of public authorities:
- **Information sharing:** Provide information on implementation strategies, public tendering procedures and project guidelines.
- **Procedures:** Follow established rules and regulations for policy implementation.
- **Resource provision:** Enable the active participation of civil society in the implementation step through for example, budgetary provision, in-kind support or administrative services.
- **Responsiveness:** Be available and react to specific needs arising from circumstances around policy implementation.

Useful tools and mechanisms:
- **Information:**
  - **Open and free access** to public sector documents relating to projects and implementation decisions.
  - **Website** with comprehensive access to key documents and announcement of public events.
  - **E-mail alerts** announcing upcoming project and funding opportunities.
  - **FAQs** online or other channels to offer information presented as questions and answers targeted towards providing practical help and guidance.
  - **Publicly advertised tender procedure** to provide an open transparent process for service provision.

- **Consultation:**
  - **Events, conferences, forums and seminars** to inform and discuss the implementation of policy with NGOs and the public.

- **Dialogue:**
  - **Capacity building seminars** to increase knowledge and capacity relevant to the implementation.
  - **Training seminars** for NGOs and public authorities in specific topics relevant to implementation, such as procurement, project and funding applications.

- **Partnership:**
  - **Strategic partnership** where NGOs and public authorities form a partnership to implement policy; this may range from a small pilot scheme to a full implementation responsibility.

f. Monitoring

At this point, the role of NGOs is to 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.

Contribution of NGOs:
- **Advocating:** monitor and voice whether the policy initiative reached the intended beneficiaries and had the intended outcome for society.
- **Expertise and advice:** gather evidence or research on the policy's impact; includes think-tanks and research institutes.
- **Service provision:** responsibility to monitor the effects of the programme in terms of quality, sustainability, effectiveness and real case examples.
- **Watchdog function:** a priority role in monitoring effects of the policy, to ensure that the intended objectives are achieved.

Responsibilities of public authorities:

- **Information sharing:** Provide information on current policy status.
- **Responsiveness:** Listen **and** react to specific points raised by NGOs and civil society.

Useful tools and mechanisms:
- **Information:**
  - **Open and free access to information** on policy progress.
  - **Evidence gathering** to collect cases and statistics on project delivery.
  - **Evaluation** of policy and its impact through conferences and reporting.
  - Independent **research studies** to draw out key lessons.

- **Consultation:**
  - **Feedback** mechanisms to follow progress such as polls, web surveys or questionnaires.

- **Dialogue:**
  - **Work group or committee** consisting of NGOs (both users and providers) in charge of the monitoring and evaluation of the policy initiative.

- **Partnership:**
  - **Work group or committee** consisting of the NGO and public authorities coming together in a strategic partnership to monitor and evaluate the policy initiative.

g. 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. This reformulation allows for the initiation of a new cycle of decision-making.

Contributions of NGOs:
- **Advocating:** lobby for renewal of policy by expressing limitations in or side-effects of the current policy, to meet the needs of users or citizens
- **Expertise and advice:** conduct research and analysis to identify gaps in the current policy initiative and provide rationale for reformulation
- **Innovation:** develop new approaches to tackle the relevant policy issue; this can be a key element in policy renewal
- **Service provision:** identify obstacles and gather evidence to illustrate evolving needs that require a reformulation of policy

Responsibilities of public authorities:
- **Information sharing:** provision of information on possible review of a policy and their perception of changes needed in policy
- **Procedures:** provide clear, open and accessible processes for participation
- **Resource provision:** enable and support the active participation of civil society
- **Responsiveness:** listen and act on input from NGOs

Useful tools and mechanisms:
- **Information:**
  - **Open and free access to information** providing evaluations, study results and other evidence about the existing policy

- **Consultation:**
  - o **Conference or meeting** to set out next steps planned by public authority
  - o **Online consultation** to gather civil society views on how to follow-up policy/project

- **Dialogue:**
  - o **Seminars and deliberative forums** to involve interested stakeholders in developing new directions in policy field e.g. World café, open space, other brainstorming methods

- **Partnership:**
  - o **Work group or committee** where NGOs form an expert group jointly with other stakeholders and public authorities with the purpose of recommending a revised policy

4.3 Cross-cutting tools and mechanisms for civil participation

There are certain tools or mechanisms gathered from across Europe during the consultation for the Code of Good Practice for Civil Participation that provide cross-cutting support to participation throughout the whole decision-making process:

a. E-participation

E-participation is an essential part of E-democracy. As such it must follow all the principles of a good democratic decision-making process with the added aspect of using E-tools. E-tools offer great potential for improving democratic practice and participation of an organised civil society. They can largely contribute to the transparency, accountability and responsiveness of institutions, to the promotion of citizens' engagement, and to increasing empowerment, accessibility and inclusiveness of the democratic process. These tools can broaden and deepen political participation by enabling people to connect with their elected representatives

To achieve this positive result the tools used must be tailored to enhance inclusiveness, transparency and make participation easier. They must avoid creating new barriers. But these tools are also vulnerable to misuse and manipulation. Therefore, measures must be taken to minimize these risks with full respect to the demands of data-protection and the right to privacy.

Most commonly used tools in many countries today are **central electronic portals.** To fully benefit from their potential, e-tools should be integrated by all participants in decision-making, including authorities at all levels and organised civil society. E-participation plays a crucial role for the mutual relationship between government and citizens to enhance government activities and national development. Important components of e-participation include: e-inform; e-consult and e-decisions.

E-Government is also interlinked with e-participation. This concept is an especially powerful tool for local governments to engage in governance by improving access to information, whilst simultaneously deepening citizens' participation in the policy-making process. Through citizen engagement, e-government can improve the overall trust relationship between the government and public administration. For this it has also to be inclusive, simple to use and must not create new barriers for citizens. To be fully trusted they must ensure a high level of data-protection and must guarantee the citizens right to privacy.

b. Capacity-building for participation

It is essential to develop the capacity and skills of local, regional and national NGOs so that they can actively be involved in policy formulation, project development and service provision. Capacity-building can also include training seminars to improve the understanding of the

reciprocal roles of NGOs and public authorities in this engagement, as well as exchange programmes to facilitate the understanding of each other's realities.

c. Structures for cooperation between NGOs and public authorities

To facilitate the relationship between public authorities and NGOs, a number of countries have developed coordinating bodies. These include: government bodies such as a contact person for civil society in each ministry or a central coordination body as a single interlocutor; joint structures such as multi-stakeholder committees, work groups, expert councils and other advisory bodies (permanent or ad-hoc); or NGO alliances/coalitions which pool resources and develop joint positions.

d. Framework documents on cooperation between NGOs and public authorities

In many European countries, framework agreements have been developed to outline undertakings, roles and responsibilities and procedures for cooperation. These documents lay out a clear basis for the relationship and thereby facilitate ongoing dialogue and mutual understanding between NGOs and public authorities. They include bilateral agreements with parliament or government, strategy documents for cooperation and official programmes for cooperation, adopted by public authorities. Framework agreements do indeed exist at the local and national level, namely by liaison offices. In countries where liaison offices are present, programs are initiated to develop NGO partners and to provide for their long-term sustainability.

5. Toolkit

The Toolkit will accompany the Code of Good Practice and give practical examples from which to demonstrate which methods worked well in a given environment and setting and which practices turned out to be less successful or can lead to a disruptive and unsatisfying process of participation.

The toolkit shall be a living tool and will be a joint effort of the Conference and the Congress. They will share experiences and compare perception of participation processes from both sides, administration / government as well as civil society.

After an initial phase of targeted search for most informative examples a template will be provided for both administrations / governments and NGOs to fill in and give feedback on participative processes and help to make the toolkit ever more comprehensive. As a joint venture of the Conference and the Congress, who will moderate this process, it will also ensure continued co-operation on the Code of Good Practice by both institutions.