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Contributions to the International Conference on Civil Participation in Decision Making 6-7 May 2020

European experiences in civil participation in decision-making

Tiago Nunes Martins, Adviser to the Minister of Health, Portugal

Mr. President (of the Georgian Presidency of the Committee of Ministers of the Council of Europe) and Ambassador of Georgia (to the Council of Europe),

Ladies and gentlemen of the Council,

Representatives of central and local authorities of the member States of the Council,

1. First, we would like to thank the Council of Europe for the initiative of this Conference, in particular through the Permanent Representation of Georgia to this Council and the Mayor of Tbilisi.
2. We think that the participation of the Government of Portugal – and especially its Ministry of Health, which we represent here – is a sign of the importance of the subject of this Conference to Portugal – as a member State of the Council of Europe – and to its Government, in all acting areas.
3. The civil participation in decision-making, through the increase of civil society and citizens participation to guide public decisions, is certainly an essential way to develop our levels of democracy and to promote an active involvement in order to ensure a democratic and balanced action facing the new challenges and negative trends of our representative democracies.
4. In that way, the Programme of the XXIInd Government of Portugal – as also the previous Programme of the XXIst Government – contains **general measures to promote the political and civic participation as an essential objective of the State**, because that participation should go beyond elections and develops the social cohesion and the sense of belonging to a community.

Two examples of that measures are:

- Annual reporting and accountability on the execution of the Government Programme; and

- An increase of the number of normative acts submitted to public debate.

5. The Government Programme contains as well, for the **specific Health area, several measures in order to ensure the participation of citizens on the Portuguese National Health Service** (known as SNS) – for example:

- To promote a culture of humanization in healthcare services; and
- To strengthen the mechanisms of citizens participation in the management and organization of healthcare services.

6. From a more practical perspective, we would like to highlight some instruments and current initiatives and measures which are already contributing to make of civil participation on Health a reality in Portugal.

One of the most important was **the new Health Basis Law**, approved and published on last September, 2019, which establishes the citizens participation as a right of any person towards the healthcare system and the healthcare services.

Lei de Bases da Saúde (Lei n.º 95/2019, de 4 de setembro) Base 2

– Direitos e deveres das pessoas

1 – Todas as pessoas têm direito:

- i) apresentar sugestões, reclamações e obter resposta das entidades responsáveis”;
- j) intervir nos processos de tomada de decisão em saúde e na gestão participada das instituições do SNS”;
- k) constituir entidades que as representem e defendam os seus direitos e interesses, nomeadamente sob a forma de associações para a promoção da saúde e prevenção da doença, de ligas de amigos e de outras formas de participação que a lei preveja”.

- Another essential initiative was the approval and publication, also on last September, 2019, of a called Charter for Public Participation on Health, which establishes, on one hand, the ways of that participation (for example, public meetings, public auditions and consultations, participation on consultative councils and other national forums) and, on other hand, representativeness criteria of organizations and associations of healthcare services’ users.
- And then, we also have civil participation already on a called National Council for Health – a consultative council of Portuguese Government for health politics and health affairs which integrates members elected by our National Parliament, representative of healthcare services’ users and their organizations/associations – and, until now, 2 Meetings promoted by the Ministry of Health with that organizations and associations, in order to listen to, discuss and debate the most relevant issues to them.

Decreto-Lei n.º 49/2016, de 23 de agosto

Regime jurídico do Conselho Nacional de Saúde (CNS)

- Finally, we have now the challenge of **promote the civil participation in the preparation of a new National Health Plan, for the period of 2021-2030**, putting into practice all the referred laws and political measures.

7. For all of this, we are sure of the importance of this Conference. In that way, the main goals of our participation here are to share with all of you these initiatives and measures already implemented in Portugal and also to listen to and learn about your initiatives and measures, in order to be able to make more and more in what concerns civil participation in decision-making and to contribute to a progressive and solid development of our democracy.

Thank you again for your attention and for this opportunity.

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Toni Sandell, Deputy Permanent Representative of Finland to the Council of Europe

Thank you so much for organising this very important conference.

Digital participation to this conference worked very well and I personally certainly gained new perspectives and information on the theme itself, tools available at the Council of Europe as well as country experiences, such as that of Georgia and Tbilisi in particular.

Finland pays a lot of attention to the issue of civil participation as it is the foundation for better functioning and more accountable democratic systems. I would thus like to add couple of perspectives to this debate:

Firstly, as some speakers mentioned, guaranteeing the space for civil society is crucial. The tendency hasn't been satisfactory in Europe lately. Our ministers thus took important decisions in Helsinki last May on measures to strengthen the protection and promotion of the space reserved for civil society in Europe. We look forward to having a debate on the implementation of these measures in the near future.

Second, access to information is another key element in fostering public participation in decision-making processes. True, "empowered" participation requires information. The Tromsø Convention on Access to Official Documents is of key importance for the right of access to official documents held by public authorities.

Finally, thank you again for the City of Tbilisi, Directorate General of Democracy and Chairmanship Georgia for organising this event, as well as all the speakers for your important insights.

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Anne Marie Chavanon, Co-ordinator of the cross-sectoral working group on Social and Territorial Cohesion. Former Chair of the Democracy, Social Cohesion and Global Challenges Committee of the Conference of INGOs

First of all, I would like to thank the Georgian chairmanship for having chosen these themes and for organising the two high quality events which it proposed to the Council of Europe on (i) the environment and human rights, and (ii) citizen participation in political decision-making. It is a matter of profound regret that the restrictions imposed by the pandemic have had such an adverse effect on the organisation of events on issues which enable the Council of Europe to regain the strength of action which it had, until recently, had on all territorial issues in its member states.

I would also like to thank the Secretary General for the content of her speech and for reminding us of the Council of Europe's key instruments, in particular the 12 principles, which remain unwaveringly topical, and the Guidelines which, in response to the latest text of the Conference of INGOs, we hope will go even further. I would like to echo her wish that our respective work can breathe new energy and dynamism into our democracies.

Similarly, like his Excellency Ambassador Giviashvili, I would like to express the hope that the follow-up to this conference will represent "an important milestone in the work of the Council of Europe in the field of civil participation and will make a significant contribution to the future work of the organisation".

I would like to thank the Mayor of Tbilisi for the city's input to the organisation of this event and hope that the participatory procedures put in place in his city, in particular for Lake Gldani, will one day be rewarded by the Council of Europe's Landscape Award.

The contributions at the first event were very instructive and insightful, and those at the second event are equally so. Particularly those focusing on the exercise of democracy in the context of a pandemic.

I would particularly like to applaud the suggestions made by Mr Andy Williamson and Mr Marco Keiner, which are both practical, positive and constructive, at a time when the recentralisation that has been observed in member states is driven by the immediate – and understandable – recourse of governments to direct – and top-down – channels in order to ensure civil protection as swiftly as possible.

I would also like to welcome the democratic processing put in place by the City of Bristol, which has long been exemplary in the field of the Smart City, and to ask Ms Flemming whether the fight against COVID involves the use of software and platforms that were in force at the beginning of the decade. And whether the people of Bristol are more open than others to the use of personal data, particularly tracking.

I would like to ask Ms Landemore whether the frequently rotating permanent citizens' assembly that she is promoting is already up and running to her satisfaction. How long has this been the case and at what level of administration?

N. B. The French Chair of my NGO has for a long time been the Chair of a body in France (Hauts de Seine) regarded as a pioneer in the field of sustainable development (C2D2). This body comprised equal numbers of elected representatives from all political parties, NGOs, experts and citizens. In 2016, it became an inter-département body.

On referral from the President of the Inter-département Public Establishment, and before that from the President of the Département Assembly, this body issues opinions and, thanks to the diversity of its members' expertise and experience, provides decision-making assistance on any issue of interest to both départements. Decisions are taken in a very collaborative manner and are always endorsed by the elective assemblies.

In relation to the Council of Europe, the Sustainable Territorial Development Committee and the Committee on Democracy, Social Cohesion and Global Challenges of the Conference of INGOs which I chaired had as a common – if somewhat obsessive – theme the search for best practice in terms of participation in the decision-making process.

The guidelines and positive initiatives carried out by the city of Tbilisi and presented by Ms Maia Bitadze will provide useful input for our NGOs. We will be happy to present the various aspects of these at our next session.

Furthermore, if I may, I should like to refer in future messages to a few examples gathered during the work of our committees, in the hope that they may be taken into account.

- the LOCAL CIVIC PACT FOR CLIMATE set up by the Mulhouse Urban Community under the leadership of Jo Spiegel (a partnership between companies and the local population) In Mulhouse, in 2015, 120 partners worked together to produce 820 quantifiable actions that led to a rapid reduction in greenhouse gas emissions of 13%.

- The STANDING GENERAL ASSEMBLY OF DEMOCRACY set up by the Mayor of Kingersheim in the Bas-Rhin. This involves a “co-production” of the public space offered to residents (<https://www.cohesion-sociale-coe.org/notre-activite/session-dhiver-2014-faire-renaitre-la-democratie>).

- WIKICITY is a citizen-driven information platform, the first of its kind created by Porto Alegre City Council (<https://society30.com/porto-alegre-brazilians-capital-participatory-democracy/>).

- NESETCITE created by Abdel Belmokadem, a former professional boxer, seeks to link together young people from so-called “difficult” neighbourhoods and politicians, job seekers and employers. He himself was a local elected representative and is able to provide local elected representatives in these neighbourhoods with the means to foster participation and dialogue (<http://www.nesetcite.com/> <https://www.cohesion-sociale-coe.org/notre-activite/abdel-belmokadem-creer-les-conditions-du-dialogue-pour-des-publics-qui-ont-du-mal-a-se-rencontrer>).

- Lastly, I should like to mention the QUADRILOGUE set up at the Council of Europe in 2003, when participatory status was granted to NGOs, between the Committee of Ministers, the Parliamentary Assembly, the Congress of Local and Regional Authorities and the Conference of INGOs.

Co-operation with INGOs having participatory status takes many forms, ranging from simple consultation to genuine co-operation on specific projects. INGO experts may participate in various projects as consultants; they may contribute to the work of intergovernmental committees on an institutionalised or ad hoc basis, draft notes for the Secretary General of the Council of Europe, present oral or written statements before the committees of the Parliamentary Assembly and the Congress of Local and Regional Authorities and address Council of Europe bodies at their meetings. NGOs holding participatory status also circulate information on the aims and activities of the Council of Europe among their members. They can make joint commitments with other Council of Europe bodies. To mark the International Year of Biodiversity, on 28 April 2010 the Presidents of the Parliamentary Assembly, the Congress of Local and Regional Authorities and the Conference of INGOs of the Council of Europe, the most senior officials of these three pillars of the Organisation, signed a joint declaration in support of protection of biodiversity.

This type of landmark event, the first of its kind, was motivated by the scale of the challenge, by the need to “act locally and think globally”. In this way, lawmakers active in the 47 member states of the Council of Europe, representatives of the 200,000 local and regional authorities and civil society delegates from the European continent wished to make a visible and mutually supportive commitment.

The guidelines for participation in the decision-making process are the outcome of a joint drafting group, which I had the honour of co-chairing, made up of NGOs and government representatives, a successful result of the quadrilogue in the “Home of Democracy”.

This “quadrilogue” is one of the most magnificent means of co-production between those who govern and those who are governed at European level. It is an example that the Council of Europe can be proud of, an example to be protected and publicised at all administrative and territorial levels.

Civil participation in decision-making in Georgia

Revaz Barbakadze, Assistant of the Mayor, Rustavi Municipality

Dear friends,

It is very important that in the difficult situation created by the global pandemic, Issues of increasing civic engagement in the decision-making process remain a topical issue for our international partners and the country's authorities.

The new reality showed us how much more effort is needed to introduce innovative forms of participation, which will maintain their effectiveness in a difficult situation like COVID-19 pandemic.

I would like to inform you that Rustavi Municipality together with its partners has been actively working for many years to establish innovative forms of engagement and integrate different sectors in the decision-making process.

Rustavi Municipality City hall and Rustavi Innovation Hub, in partnership with UNDP created and are operating the first time in Georgia and Transcaucasia chat bot of municipal services.

<https://www.facebook.com/C-Bot-%E1%83%A1%E1%83%98-%E1%83%91%E1%83%9D%E1%83%A2%E1%83%98-104643544406147/>

This product allows any person to receive information about the services of Rustavi Municipality City Hall. Bot also helps people get these services. Such a product is especially important today when the best way to protect against the virus is remote activity and social distancing.

The role of local self-government is crucial for the development of democratic processes and the strengthening of citizen engagement. Because it is the local government that has direct contact with the citizen. Strengthening self-government in this direction is a necessary need.

Rustavi Municipality City hall and Rustavi Innovation Hub created and implemented a number of innovative mechanisms to increase engagement (Board game, Urban Foresight, Design thinking), which are successfully used to increase citizen participation in the processes and is ready to share its experience with both local and international partners.

