

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Strasbourg, 22 March 2022

GT-BG(2022)4

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

**WORKING GROUP ON PRINCIPLES OF GOOD DEMOCRATIC GOVERNANCE
(GT-BG)**

REPORT OF THE 1st MEETING

24-25 February 2022, Hybrid meeting

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

1. Opening of the meeting

Mr Dan Popescu, Head of Democracy and Governance Department opened the meeting and welcomed the members of the working group. Mr Popescu expressed his confidence that the CDDG would be able to finalise the task of drafting a recommendation on good democratic governance at all levels by the end of the year, given the fact that the CDDG would be able to draw on 15 years of experience with the 12 Principles of Good Democratic Governance at local level.

The members introduced themselves in a tour de table. The list of participants can be found in Appendix I.

2. Election of Chair and Vice-Chair

Mr Peter Andre, Austria, was elected Chair and Ms Siobhan Smyth, United Kingdom, was elected Vice-Chair, both by acclamation.

3. Adoption of the agenda

The agenda was adopted as it appears in Appendix II.

4. Terms of reference

The Secretariat provided information on the [terms of reference](#) of the working group, its working methods and timetable. Participation in the working group was open to all member States, however, expenses would be covered only for one expert from each of the 10 countries listed in the terms of reference. The working group is invited to make use of available technologies especially for a possible additional meeting to be held online with the aim to present a final draft to the CDDG by the end of the year.

One of the United Kingdom experts stressed that the draft recommendation was a significant move into the field of democracy and that the recommendation could make a substantial contribution to the work of the Council of Europe in this field.

5. Drafting a recommendation for the Committee of Ministers on 12 Principles of good democratic governance

The Secretariat gave an overview of the preliminary draft proposal of the recommendation, consisting of a preamble, actual recommendation and an appendix (see GT-BG(2022)3). Document GT-BG(2022)2 outlined possible issues for discussion, including among others how to refer to the impact of digital transformation on democracy and governance, how to address aspects possibly related to the separation of powers and concerning the title of the recommendation.

The working group also heard a presentation on the experience with the implementation of the 12 Principles of Good Democratic Governance at local level, and further proposals for the recommendation by Daniele Del Bianco and Ramona Velea, scientific experts.

They highlighted that the background document GT-BG(2022)3 was based on experience with the implementation of ELoGE in different member States and was supplemented with a semantic analysis of the list of references provided. The framework of the 12 Principles was useful when working with the different levels of government, as it provided a common reference for all, despite differences in competencies.

They presented a possible Appendix to the Recommendation, consisting of detailed elements under each principle with a definition, a rationale and key elements/indicators.

The ensuing discussion centred around questions relating to the purpose of the recommendation; the number, order and scope of principles to be addressed; a definition of good democratic governance; terminology, and possible gaps.

Overall, the working group welcomed the structure of the preliminary draft proposal and suggested that the principles could also be listed in the main body of the recommendation, while the explanation of each principle would be further set out in the appendix. Furthermore, members welcomed a proposal to clarify the terminology by providing a glossary.

Members discussed the appendix, principle by principle, based on presentations by the scientific experts. The purpose of the recommendation was twofold: it would help governments to continually strengthen the good democratic governance they provide to communities and people, while the latter would be informed of what to expect in this regard of those in power. The principles would thus provide a hallmark of well-functioning democracy as well as of effective governance. One of the main questions to be addressed was the interrelation of the principles with, and their added value for multi-level governance.

Members reiterated that the task was to develop principles of general applicability (to all levels). The working group should not seek to 'simply' apply to the national context the 12 Principles, instead it should build on lessons learned from the experience on local and regional level and formulate principles of general applicability for all levels. Therefore, more clarity as to how many and which principles are to be included was needed.

The working group proposed to elaborate a definition of good democratic governance to be included in the preamble, and to possibly refer to issues such as trust, the democratic backsliding, civic space, and the separation of powers in the preamble, too.

The member from Finland suggested to emphasise the links between democracy and economy, to acknowledge the implementation challenges of the Principles and to address ways to promote national uptake.

The working group considered that since the principles are interlinked and mutually reinforcing, they could not be prioritised or ranked. Members suggested to nonetheless develop a proposal to cluster or order the principles with a view to highlight the interrelation of the principles and to increase visibility, communicability and implementation.

The working group also noted the importance of ensuring the principles include Human Rights, Diversity and Inclusion in a broad sense and that appropriate language is used to convey this clearly.

Other key themes that were raised in discussions were multilevel governance including the quality of communication and effective distribution of powers between levels of government, as well as the impact that the principles have in a broader sense: they also do convey and establish the standards that can be expected of governments by their citizens. This wider impact would have to be considered as work progresses.

The representative from CINGO also made some drafting proposals, for example to replace reference to 2022 (page 3, point 4, with “particular upcoming importance that can be referred to...”); to include recent reports by [The Expert Council on NGO Law](#), in particular, the three Thematic Studies of 2021 in the references (page 4, point 6); to add the [UNESCO Recommendation on Ethics of AI](#), and [FRA, Fundamental Rights and Artificial Intelligence](#), to the resources on digitalisation (page 17).

All proposals were noted and will be taken into account.

A presentation to be given by a representative of the Economist Intelligence Unit had to be cancelled (and would be rescheduled, if possible), due to unforeseen reasons.

Presentations from other Council of Europe bodies

Parliamentary Assembly

The working group heard a presentation by Ms Sonia Sirtori, Secretary to the Committee on Political Affairs and Democracy. She underlined the timeliness of the work, as all member States are affected in one way or another by democratic backsliding and erosion of trust in public institutions. Ms Sirtori gave a brief outline of the relevant PACE committees addressing issues in the remit of the work of CDDG, mentioning the Committee on Social Affairs, Health and Sustainable Development; the Committee on Legal Affairs and Human Rights and the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee). She highlighted that with regards to drafting of the recommendation, the Committee on Political Affairs and Democracy could be the main interlocutor, in particular its Sub-Committee on Democracy, chaired by Mr George Papandreou, Greece.

Ms Sirtori made suggestions to the effect that the CDDG develops and defines the concept of good democratic governance; to highlight trust as one link between democracy and good democratic governance and to refer to it in the preamble; to include in principle 4 a reference to the Council of Europe's work on access to information (Tromsø Convention) and to data protection; to expand on freedom of voters to form an opinion; and to draw on the Recommendation CM/Rec(2007)7 of the Committee of Ministers to member states on good administration and on Art. 41 from the EU Charter on Fundamental Rights, as well as the work of the Fundamental Rights Agency in general.

Overall, Ms Sirtori reiterated the readiness of PACE committees to contribute to the development of the recommendation. The Sub-Committee on Democracy would be submitting to the Secretariat a list with relevant resources to be included in the list of references.

Venice Commission

The working group also heard a presentation by Oliver Kask, Judge, Substitute member of the Venice Commission, President of the National Election Commission of Estonia. Mr Kask highlighted relevant work by Venice Commission, in particular with regards to principles of the rule of law and elections. The Venice Commission would be providing the Secretariat with a list of relevant resources to be included in the list of references.

Congress of Local and Regional Authorities

In addition, the working group heard an address from Roman Chlapak, Secretary of the Governance Committee. Mr Chlapak mentioned several relevant Congress standards, documents, and reports, including the Charter of local Self-Government, European Code of Conduct, and other references, to be provided to the CDDG Secretariat.

3. Conclusions

It was agreed that the experts would revise, and the Secretariat finalise the proposal in line with the discussion and detailed feedback received. Furthermore, the Secretariat would also gather additional resources to be included in the list of references. Members would have an opportunity to comment on the revised draft in writing. The latter would thereafter be reviewed by the Bureau meeting in March and then discussed at the 15th CDDG plenary meeting on 21-22 April 2022.

4. Other business

The working group heard a presentation on the experience with the implementation of ELoGE in the Slovak Republic.

5. Next meeting

The working group agreed to hold two more meetings to advance the drafting process: an informal online meeting on 9-10 June, in which members could also participate physically at their own expense, and a formal (hybrid or in-person) meeting on 15-16 September, with modalities to be determined.

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

Mr Peter ANDRE, Ministry of Interior, Senior Expert for Legal Affairs, Wien

BELGIUM / BELGIQUE

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

CZECH REPUBLIC / REPUBLIQUE TCHEQUE

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

ESTONIA / ESTONIE

Ms Ave VIKS, Adviser, Governancer lecturer from Tallinn University

FINLAND / FINLANDE

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

GREECE / GRECE

Mr Georgios CHRYSAFIS, Directorate of Organising and Functioning of Local Government, Ministry of the Interior, Athens

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

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

Ms Elli STILIANIDI, Expert within the independent department of International and European relations, Ministry of Interior of the Hellenic Republic, Athens

ITALY / ITALIE

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

MALTA / MALTE

Mr Natalino ATTARD, Director General (Local Government), Local Government Division, Ministry for Justice, Culture and Local Government, VALLETTA

NORWAY / NORVEGE

Prof. Sigrid STOKSTAD, Associate Professor in the Department of Public and International Law, Faculty of Law, University of Oslo

PORTUGAL

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

SLOVAK REPUBLIC / REPUBLIQUE SLOVAQUE

Ms Veronika LAKATOŠOVÁ, Local Self-Government and Foreign Affairs Unit, Department of Public Administration, Ministry of Interior of the Slovak Republic, Bratislava

UNITED KINGDOM / ROYAUME-UNI

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

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

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

PARTICIPANTS**PARLIAMENTARY ASSEMBLY OF THE COUNCIL OF EUROPE / ASSEMBLEE PARLEMENTAIRE DU CONSEIL DE L'EUROPE**

Ms Sonia SIRTORI, Head of Secretariat, Committee on Political Affairs and Democracy

Ms Aysegul ELVERIS, Committee on Political Affairs and Democracy

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

Mr Roman CHLAPAK, Governance Committee

CONFERENCE OF INGOS OF THE COUNCIL OF EUROPE / CONFERENCE DES OING DU CONSEIL DE L'EUROPE

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

VENICE COMMISSION / COMMISSION DE VENISE

Mr Oliver KASK, Judge, Substitute member of the Venice Commission, President of the National Election Commission of Estonia

Mr Pierre GARRONE, Division of Elections and Political Parties – Venice Commission

Ms Taras PASHUK, Division of Elections and Political Parties – Venice Commission

CONSULTANTS EXPERTS / EXPERTS CONSULTANTS

Mr Daniele DEL BIANCO, Director, Institute of International Sociology (ISIG), Gorizia, Italy

Ms Ramona VELEA, Deputy Director, Institute of International Sociology (ISIG), Gorizia, Italy

SECRETARIAT

Mr Daniel POPESCU, Head of Democracy and Governance Department / Directorate of Human Dignity, Equality and Governance / Directorate General of Democracy

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

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

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

Ms Isabelle ETTER - Assistant

Interpreters / Interprètes

Ms Bettina LUDEWIG
Mr Didier JUNGLING

APPENDIX II

AGENDA

Thursday 24 February 2022

1. 10.30: Opening of the meeting

- information by the Secretariat
- *tour de table* for the participants to introduce themselves

2. Election of the Chair and Vice-Chair

3. Adoption of the agenda

[GT-BG(2022)0J1]

4. Terms of reference

[\[GT-BG\(2022\)1\]](#)

Information and discussion on the terms of reference, working methods and time-table

5. 11.00: Drafting a recommendation for the Committee of Ministers on 12 Principles of good democratic governance

Overview and presentation of proposals on a possible structure for a recommendation: Secretariat

[GT-BG(2022)2]

Presentation on experience with the implementation of the 12 Principles of Good Democratic Governance at local level, and further proposals for the recommendation: Daniele del Bianco, Council of Europe expert

[GT-BG(2022)3 and background document "Proposal for revision and upgrading in a multi-level governance perspective"]

Questions and answers

13.00: Lunch break

14.30: Presentation on the Economist's democracy index and periodic reports: Joan Hoey, Director for Europe, Editor of the Democracy Index, The Economist Intelligence Unit (online)

Questions and answers

15.00: Contributions by the members of the working group on the structure and content of a draft recommendation and guiding principles in the light of the drafts presented and presentations made.

17.00: end of day 1

Friday 25 February 2022

10.30:

Presentation of relevant developments at the PACE: Sonia Sirtori, Secretary of the Committee on Political Affairs and Democracy

Questions and answers

Presentation of relevant work by the Venice Commission: Oliver Kask, Judge, Substitute member of the Venice Commission, President of the National Election Commission of Estonia

Questions and answers

Address in relation to the work of the Congress of Local and Regional Authorities: Roman Chlapak, Secretary of the Governance Committee

11.30: (Cont.) Contributions by the members of the working group on the structure and content of a draft recommendation and guiding principles in the light of the drafts presented and presentations made documents.

13.00: lunch break

14.30: (Cont.) Contributions by the members of the working group on the structure and content of a draft recommendation and guiding principles in the light of the drafts presented and presentations made.

16.30:

- summary of discussions
- additional and concluding remarks
- date and place of the next meeting: 9-10 June (additional on-line meeting) or 15-16 September

17.00: Closure of the meeting