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## Replies to questions asked during the International Conference on Civil Participation in Decision Making 6-7 May 2020

### Replies by Anna Rurka, President of the Conference of INGOs

*Under the new circumstances, how you see the role of the Civil Society Organizations in improvement of access to social services of persons in most vulnerable situations (i.e.: families in vulnerable situation , single/child headed household, disabled persons, children, elderly, homeless, e.c.t) ?*

The service providing CSOs play a major role. The Covid 19 pandemic has shown that a state cannot meet the needs of the population on its own, it needs to rely on CSOs and services. Many CSOs providing services at national and local level have faced the difficulty of continuing services during the lockdown. Despite this context they have been on the front line, for some of them they have taken the risk of direct contact with at-risk population (sometimes without professional protective equipment), others adapted their working methods to the context (especially telephone calls and video follow-up), with the objective to maintain the contact and relation with the population and vulnerable persons.

Given their presence in the field, as close as possible to the population, the CSOs providing services should be involved in the planification, implementation and monitoring of the public policy measures. It also means taking part in the decision-making process by proposing solutions, by co-drafting policy papers, but also sometimes by opposing solutions that do not seem appropriate or that undermine the human rights of vulnerable people.

Sometimes, civil society organisations are not aware of the internal procedures or capacity of the institutions at different levels of governance. This is why civil and social dialogue between CSOs and policy makers must be constant in times of crisis. Civil participation is a democratic imperative, but also a means of mutual learning about how each entity and sector functions, what the mandates and realities of each one's work are.

CSOs do not have to wait for public authorities' invitation to be consulted. CSOs can themselves organise discussion and concertation meetings on issues that need to be resolved, invite other partners, public authorities and service users. The conclusions of these meetings can be transmitted to all parties concerned and be released to the public.

*What should be the role of young people and their organisations to mitigate Covid19 impact?*

This question leads to a two-level answer. Firstly, the figures show that many young people and youth organisations have engaged in volunteering during the lockdown period. It remains to be observed whether the same level of engagement in volunteering will be maintained after the end of the lockdown.

Secondly, the discussion within civil society through the different forums, the interventions and articles published by high level academic experts, Nobel Prize laureates or even some political figures bring the question of change that the world needs in order to improve our life on earth! This implies articulating the ecological transitions with economic and technological progress, changing our lifestyles, making them more ecological and environmentally friendly, putting the well-being of all at the centre. Young people are the future of this world, it is obvious, but the implementation of this idea is less obvious. They must be the driving force by advocacy action and strong political commitment at all levels. Because the risk of returning to the starting point (by prioritizing economy) without any change is also strong.

*The Coronavirus crisis presents an unprecedented threat to democracy. Across Europe, it has accelerated the trend towards authoritarianism and the shrinking of civic space in several European states. What can be done to build civil society resilience and empower other actors (e.g. in local government, trade unions, academic institutions) in the face of inaction from EU politicians?*

Yes, the picture is clear, the autocratic trends have become stronger. The only solution is democratic surveillance and vigilance and reaction at the earliest stage of these trends. Intergovernmental organizations must remain mobilized through diplomatic channels and by proposing the solutions and standards. But this will not be enough. Political figures must emerge at the national level to build new democratic leadership that will counteract these trends. This leadership cannot be based only on political parties given the condition of representative democracy today (still a high abstention in electoral votes). The democratic consolidation should include CSOs and citizens engagement in citizen-oriented policy decision-making. Representative democracy should be articulated with participatory one. We need the new democratic leaders respecting international human rights treaties and rule of law. Leaders who will lead the population and not run behind the polls to adjust their program to public opinion in order to win the election.

As regards the capacity of civil society to be present, I am confident that it will find the means to exercise democratic control online and offline. However, we need to exercise greater solidarity within the sector itself and support local and smaller CSOs, taking care to maintain the diversity of opinion and profiles of CSOs. The coalition between CSOs and academia is crucial. The business sector should be engaged in support of citizen initiatives and local government will play more important role in the regulations of daily life.

We cannot forget that donors' organisations are often civil society organisations. They are faced the restriction linked to shrinking civic space. Another way of funding CSOs, in a more direct way, taking into consideration smaller and less performing CSOs should be considered, with still clear pro democratic criteria.

*Before the Coronavirus pandemic took off, CSOs were already facing serious operational challenges from hostile governments. In some countries the ability of CSOs to secure state funding is tied to promises not to criticize the ruling party. These restrictions tend to bite the hardest against CSOs working to defend the rights of marginalized groups, such as those promoting sexual and reproductive rights, LGBTI rights and the rights of migrants and refugees. Do you see the Coronavirus epidemic changing or restricting the ability of CSOs to operate ?*

Several CSOs closed their doors during the lockdown, as their members faced family, professional and other obligations related to the pandemic. The charities organisations have had their resources limited. This limitation will have an important impact on civil participation over the coming months, or even the years. We see this at the Conference of INGOs level, where INGOs representative finances their attendance at sessions in Strasbourg. Several of them have informed me that, temporarily, they have to suspend their physical presence. This obliges us to focus on digital activities and invent other ways of working. It will not be the same quality and impact; the digital component of civil participation cannot replace totally the physical presence of civil society. The human factor is very important in our human rights work

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### **Reply by Markku Mollari, Chair ad interim of the European Committee on Democracy and Governance**

*Dear Sir, you rightfully stressed the link between civil participation with "e-Governance" nowadays.*

*When do you Expect that your relevant new "Guidelines" and "Toolkit" might be Presented to the Committee of Ministers, as you said ? And could you be more Explicit about its Content?*

*According to your Experience, do you think that such a "Soft Law" might Become, at least Partially, also "Hard Law", f.ex. via National Judges' Case-Law, Legislators, Administrative Practice, etc., perhaps Coordinated by ECHR?*

Thank you. To answer the first part of your question, the guidelines on e-democracy in the form of a toolkit have already been approved by the Committee on Democracy and Governance in substance. They will be approved in their final version at the Committee's next plenary meeting, most likely after summer. The guidelines are based on Recommendation CM/Rec(2009)1 of the Committee of Ministers to member states on electronic (e-democracy), the first international legal instrument to set standards in the

field of e-democracy. In line with the focus on multilevel governance of the Committee on Democracy and Governance, the guidelines seek to provide authorities at all levels with concrete examples of policies, measures and mechanisms that can contribute to enriching a democratic culture and strengthening democratic practices and institutions at national, regional and local level. In line with the consistent approach used by the Council of Europe in the area of democracy, these guidelines are addressed to the broad range of stakeholder, such as public authorities and their representatives, political institutions, individuals, NGOs and civil society at large, including media and the business community.

With regards to your second question, these "soft" tools are meant to be practical and helpful – they should be relatively easy to apply even in difficult circumstances. We intended for the many examples in the document from various countries to act as an inspiration - to apply them as appropriate, share ideas and get new ones. It is too early to say whether these will lead to any "Hard Law", that should be evaluated later.

*Usually while elaborating and implementing public policy there is a dilemma whether to consider analytical facts and evidences and neglect opinion presented by citizens thus loosing their trust or choose later which might lead to inefficient policy implementation, so what is the priority or right balance between evidences/analytical facts and citizen opinion while elaborating and implementing effective public policy?*

Thank you, an excellent question! Citizens have a lot of different opinions on important subjects. With social media, we can share them easily and quickly, and it is therefore even more frustrating for citizens to find that their opinions are not taken into account. At the same time, administrators can also miss analytical data, or not have sufficient analysis of such data.

The challenge here is how to tie different views together and to form a working consensus. For effective public policy, it is important to have the possibility for real dialogue to test ideas and share information with key actors, institutions, NGOs and citizen panels. With openness, it is possible to make implementation more effective, more synergistic – and build the foundation for better trust. Implementation should be a meeting of different minds, to create something positive.

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### **Reply by Thomas Andersson, Rapporteur, civil society questions, Congress of Local and Regional Authorities**

*In what ways the local authorities can cooperate with Civil Society Organization to make a greater impact in policy dialogue at the local and regional levels?*

Thank you for your question about how to strengthen the cooperation between civil society and the local and regional level. First of all, I want to highlight the importance of real dedication and knowledge from both the authorities and the different civil society

actors about how this process can be arranged so that different actors can participate when it comes to policy dialogue. This means that the local and regional level have to define how the policy work have to be set up so this includes all stakeholders who want to be part of the dialogue.

Secondly we at the Congress together with the Conference of INGO's are working to create a toolkit with good examples how this work can be done. This process is under way and hopefully we will be able to publish this during next year.

All inclusion of different stakeholders needs dedication and a strong will to make a change and also the legal framework to make this possible. We are looking over all these questions and we will continue this work.

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### **Reply by the Department of Democracy and Governance**

*Does Council of Europe intend to support civil involvement through special projects in Georgia?*

Indeed, the Council of Europe, in general, and the Democracy and Governance Department in particular, realise how important the development of the civil society sector in Georgia is. We have developed and tested in 2019 some innovative civil participation methodologies that we would like to introduce and implement in Georgia and we are currently searching for funding for such a project.