



CONFERENCE OF INGOs
OF THE COUNCIL OF EUROPE

CONFERENCE DES OING DU
CONSEIL DE L'EUROPE

November 2008

CODE OF GOOD PRACTICE
ON CIVIL PARTICIPATION

FIRST DRAFT

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Explanatory introduction	p. 3
Draft Code of Good Practice on Civil Participation	p. 6
Steps in the decision-making process	p.10
Levels of participation	p.18
Appendix 1: Policy documents	p.25
Appendix 2: Structures of cooperation	p. 27

Explanatory introduction

I. Background

At the meeting of the Council of Europe Forum for the Future of Democracy held in Sweden in June 2007, participants called on the INGO Conference of the Council of Europe to prepare a Code of Good Practice for Civil Participation (hereafter “the Code”) which would cover subjects such as mechanisms for NGO participation in decision making processes and other forms of citizens' involvement.

II. Objectives

The principal objective of this Code is to contribute to creating an enabling environment for NGOs in Council of Europe member States and Belarus by defining at European level, a set of general principles, guidelines, tools and mechanisms for civil participation in decision making processes. The intent is that the Code will be implemented at local and national level. The Code is based on actual experiences from NGOs and civil society organisations across Europe sharing their good practices and useful methods for engaging with public authorities.

Throughout the consultation process, NGOs and civil society organisations have the opportunity to add to the draft Code their specific comments, reflections and concrete input such as good practices, tools and case studies. The consultation process is twofold with a series of regional consultations meetings and also by e-mail to the special mailbox which has been set up by the Conference of INGOs (www.coe.int/ngo) at the following address: civil.participation@coe.int. The input from both the regional consultation meetings and the mailbox will be taken into consideration in the final version of the Code.

An additional objective for the Code is to make sure that it is a relevant and useful tool for NGOs and civil society organisations from local to international level as a support in the dialogue with public authorities and government bodies. It aims to be an inter-active instrument and to be action-oriented so that it is truly useful for both NGOs and civil society organisations and public authorities and governments across Europe.

III. Targets

The Code is aimed at national NGOs and civil society organisations including regional and local organisations in Council of Europe member States and Belarus, as well as organisations at European and international level. A second target is national public authorities, which includes governments, parliaments and local authorities. The target is wide, but the hope is that there will be segments of the Code that will be inspirational or useful for all these different levels.

IV. Preliminary Structure of the Code of Good Practice

The Code, which is currently open to input, includes only a couple of the envisioned building blocks of the final Code. The Code, in its current form, consists of a short value statement, the different steps in the political decision making process and the different levels of participation. These are presented as a tool list in a summary matrix as well as and as separate tables, which also lists roles and contributions and pre-conditions. The Code in its final version is planned to include further steps. The intended preliminary structure, which will be revised based on the consultations, is at this point the following:

1. The first building block is the **introduction** of the code which will describe the background and objectives of the Code and its policy intent.
2. The second building block is a **value statement**. This block is currently in a draft form in the current code and mentions principles and key values, the roles of NGOs and civil society organisations in democratic societies, and the pre-conditions required for creating an enabling environment. It also mentions the connection to the Council of Europe Committee of Ministers Recommendation (2007) 14.
3. The third building block consists of the **different steps in the political decision making process**. The political decision making process includes the six different steps of the decision making process: agenda setting, drafting of policy, decision-taking, implementation of policy, monitoring policy and reformulation of policy. These steps are also illustrated in tables describing each step and listing useful tools and case studies.
4. The next block is the **different levels of participation**. The involvement of NGOs in the different steps of the political decision making process varies based on the level of participation. These can be described as four gradual levels where the first offers the least participation of NGOs and the last offer the most participation. These levels are: information, consultation, dialogue and partnership. These levels are also illustrated in tables describing each level and listing useful tools and case studies.
5. Each of these steps in the decision making process requires different levels of NGO participation. This cross-correlation is presented in a summary **matrix**. In the different boxes of the matrix a few of the most useful tools or mechanisms are described. The different boxes in the matrix could potentially be expanded to include case studies or roles and contributions of NGOs and civil society organisations.
6. The next building block will be a strategy for **implementation** of the finished Code to ensure that it is known and used throughout Council of Europe member states and Belarus.
7. The final building blocks will be two main appendices. Many countries have developed **frameworks** which set out the structures for co-operation between the NGO sector and public authorities. These are listed in one appendix. There will also be a “**case bank**” with concrete examples from across Europe for the different steps in the political decision making process and for the various levels of participation.

V. Consultation process

The draft code currently includes the following building blocks referring back to the list above: 2 – value statement, 3 – steps in the political decision making process, 4 – levels of participation and 5 - summary matrix. But please bear in mind that your input is very important for any other part of the intended final Code of Good Practice as well.

The initial draft of the Code was developed during the summer months of 2008. Three regional NGO consultation meetings are planned: October in Stockholm, December in Penza, the Russian Federation and in January 2009 in Istanbul. A fourth regional meeting is tentatively scheduled for early spring 2009 in Madrid. The web-based consultation available on the website of the Conference of INGOs, www.coe.int/ngo was launched in October and will be open until spring 2009. (Please send your contributions to civil.participation@coe.int)

In 2009 the process will focus on preparing the final draft of the Code for approval by the Conference of INGOs. This will be followed by internal consultations within the Council of Europe that will lead to an adoption of the final version Code by the Conference of INGOs by the end of 2009.

Draft Code of Good Practice on Civil Participation

I. Value Statement

Non-governmental organisations (NGOs) are an essential contributor to the development and realisation of democracy and human rights. NGO contributions are made through an extremely diverse set of activities which can range from acting as a vehicle for communication between different segments of society and public authorities, through the advocacy of changes in law and public policy to the provision of services. The core activities of NGOs are focused on values of social, economic, environmental justice and accountable governance and many NGOs are active in monitoring compliance of obligations under national and international law.

NGOs and voluntary organisations form a crucial component of participation in an open, democratic society through engaging large numbers of individuals. It should not be forgotten that almost all of these many individuals are also *voters*. Therefore governmental and quasi-governmental mechanisms at all levels need to ensure the freedom of opinion, of expression, of assembly, so that civil society may form independent NGO bodies.

NGOs can bring benefits of knowledge and independent expertise to the process of decision-making. This has led governments at all levels, from local and regional to national, as well as international institutions, to draw on the valuable experience and competence of NGOs to assist in policy development and implementation. NGOs enjoy a unique trust from end users, e.g. vulnerable groups, to voice their specific concerns and represent their interests, input which is crucial in policy development.

To ensure that the essential contributions by 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 and shared spaces for dialogue; built on common principles of independence of organisations and the right to campaign and advocate on behalf of members. These basic pre-conditions, which are mentioned in the Council of Europe Committee of Ministers Recommendation (2007) 14 » on the legal status of NGOs, foster a harmonious and cooperative relationship between the public sector and NGOs, ensuring the long-term existence of a sustainable civil society.

II. Introduction to the Code of Good Practice for Civil Participation – the matrix

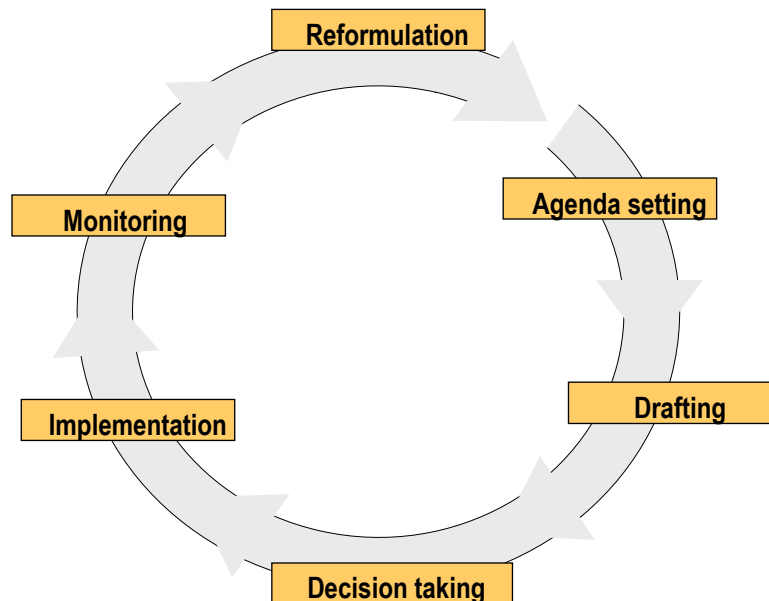
The Code of Good Practice for civil participation (hereafter the Code) is summarised in a matrix and aims to share mechanisms, tools and examples of involvement of NGOs in Europe in the political decision making process.

Each **stage in the decision making process** (matrix axis a) requires different **levels of NGO participation** (matrix axis b). In the different boxes, a few of the most useful tools or mechanisms are described. The different stages of the political decision making process and the different levels of participation are described in tables below with a more extensive list of tools.

	Information	Consultation	Dialogue	Partnership
Agenda setting	<ul style="list-style-type: none"> •Information access points for key documents •Key government contact •Campaigning •Events, conferences, forums, seminars •Research 	<ul style="list-style-type: none"> •Hearings •Events, conferences, forums, seminars •Expert seminars and meetings •Public forums •Quick polls 	<ul style="list-style-type: none"> •Training seminars •Petitioning •Citizen's initiative 	<ul style="list-style-type: none"> •Permanent work group of committee
Drafting	<ul style="list-style-type: none"> •Single information point on current drafting •Campaigning •Hearings 	<ul style="list-style-type: none"> •Minimum standards for consultation •Consultation plans •Web-based consultation •Hearings •Experts seminars and meetings 	<ul style="list-style-type: none"> •Experts seminars and meetings •Multi-stakeholder committees •Advisory bodies 	<ul style="list-style-type: none"> •Co-drafting
Decision	<ul style="list-style-type: none"> •Campaigning 	<ul style="list-style-type: none"> •Open plenary or committee sessions •Referendums 	<ul style="list-style-type: none"> •Open plenary or committee sessions 	<ul style="list-style-type: none"> •Joint decision-making tools
Implementation	<ul style="list-style-type: none"> •Single information point on ideas for implementation •FAQ •Public tendering procedures •Websites and E-mail alters 	<ul style="list-style-type: none"> •Events, conferences, forums, seminars 	<ul style="list-style-type: none"> •Capacity building seminars •Training seminars 	<ul style="list-style-type: none"> •Delegations of tasks •Strategic partnerships
Monitoring	<ul style="list-style-type: none"> •Single information point on policy progress 	<ul style="list-style-type: none"> •Feedback mechanisms, polls, surveys, questionnaires •Evidence gathering 	<ul style="list-style-type: none"> •Evaluations conferences •Research studies 	<ul style="list-style-type: none"> •Permanent work groups or committees
Reformulation	<ul style="list-style-type: none"> •Single information point for evaluations etc. 	<ul style="list-style-type: none"> •Seminars and deliberative forums 	<ul style="list-style-type: none"> •Seminars and deliberative forums •Permanent working group or committee 	<ul style="list-style-type: none"> •Permanent work groups or committees

The political decision making process

The cycle below defines the **six different steps of the decision making process**; agenda setting, drafting of policy, decision-taking, implementation of policy, monitoring policy and reformulation of policy. These steps are illustrated in tables below, describing each step and listing useful tools. To facilitate NGO involvement in the decision-making process requires: favourable legislation; recognition of the vital role fulfilled by NGOs; long-term support and resources for a sustainable civil society; and a harmonious and cooperative relationship between government and NGOs.



The different levels of participation

The involvement of NGOs in the different steps of the political decision making process varies based on the **level of participation**. These can be described as four gradual levels where the first offer the least participation of NGOs and the last offer the most participation. These levels are mapped in detailed tables below and are:

1. information
2. consultation
3. dialogue
4. partnership

In addition to these levels, many countries have developed **frameworks** setting out the **structures** for cooperation between the NGO sector and public authorities. These can be described as either policy documents for cooperation or other structures in place between the sectors:

1. Policy documents on cooperation between NGOs and public authorities

In several European countries framework agreements exist between NGOs, either individual organisations or umbrellas, and the public authorities, usually at government level. These framework agreements outline rules and/or procedures for cooperation, undertakings, roles and responsibilities to facilitate ongoing dialogue and cooperation between NGOs and public authorities. The level of implementation varies by country as well as the actual methods proposed to facilitate the cooperation. (For examples see appendix 1).

2. Other structures for cooperation between NGOs and public authorities

Some countries also have diverse structures created by the NGOs themselves to represent a collective view and to support NGO involvement in the decision making process among other support functions. These NGO coordination mechanisms often also facilitate the cooperation between the NGOs and the public authorities (within the government, ministries, the parliament) and inclusion of NGOs in development, implementation and monitoring of policies and programmes. (For examples see appendix 2).

III. Steps in the decision making process (axis a)

1. AGENDA SETTING
The political agenda is agreed by the parliament and government but can be shaped by NGOs through campaigns and lobbying for specific issues and concerns. NGOs aim to influence decision makers on behalf of a collective interest and act in a way that is complementary to public debate.
Level of participation
All levels of participation apply, but especially the levels of dialogue spaces and partnership as these levels include a higher level of participation and shared decision making.
Useful tools and mechanisms
<ul style="list-style-type: none">• Easy and open access to relevant, accurate and timely information on policy process, documents and political decision-makers, e.g. web based databases or other formats to reach the public• Key government contact for civil society and information on current policy initiative, in each ministry or in a specific civil society ministry• Campaigning and lobbying: critical form of action by NGOs based on awareness-raising such as policy papers, posters and leaflets, websites, media releases and public demonstrations• Hearings with interested stakeholders (individuals or groups) to identify and interpret the sensitivities and interests of the different groups with interest in or affected by the policy area• Events, conferences, forums and seminars: open events to provide a shared space to raise awareness, discuss and debate relevant and current political issues• Expert seminars and meetings: targeted forums for joint deliberation on policy formulation• Quick polls: survey with simple 'agree/not agree' to a statement, web based or other formats• Petitioning: NGOs start a dialogue on a specific issue. Can be combined with online tools like e-petition or web-forum• Citizen's initiative. The right of citizens and civil society to recommend proposals for legislation. The Lisbon Treaty proposes this tool for the EU, where 1,000,000 signatures in a significant number of countries will place an issue on the political agenda of the EU institutions• Permanent work group or committee. NGOs form a permanent expert group or body within the government structure to advice on policy preferences• Research to understand an issue of concern and develop suggested solutions• Involvement in public forums, hearings or debates, including a wide range of stakeholders voicing key views• Training seminars to improve the understanding of roles of both NGOs and public authorities to improve the ongoing dialogue around a specific theme
Roles and contribution of NGOs
<ul style="list-style-type: none">• Advocacy. New policy initiatives are often the result of influence of the campaigns of NGOs. NGOs usually voice concerns and define needs from a specific user group or a specific point of view such as a rights-based perspective or similar and these may come together to express a general public interest. Citizens and different user groups (e.g. vulnerable groups) have a special trust in NGOs and give them their confidence to represent their interests to initiate or

change policy.

- **Information and awareness building.** NGOs involve and represent members, users and key citizen groups and act as channels to reach citizens; to listen, react and inform.
- **Experts and advisors.** Experts with knowledge on a specific topic are often able to play a key role in setting the political agenda. Their analysis and research findings often identify needs in society and are valuable inputs at the agenda setting stage.
- **Innovators.** NGOs often develop their own solutions and approaches towards a specific user group. They may introduce alternative or non-existent services in areas such as social welfare, environmental protection and cultural activity and demonstrate how these may be brought into the political agenda.
- **Service providers.** NGOs are often service providers and a key actor in forming and implementing policy.

Case study – Portugal: Pre-school services research

Local NGOs in Portugal undertook research on the lack of pre-school services in rural areas. This project was highlighted as a pilot scheme so the entire project was monitored in a participative manner, involving NGOs, local citizens and the regional public authorities. The involvement of civil society contributed to a successful evaluation of the project and led to the decision to extend this project to other rural areas. (Regional services of the Ministry of Education and RADIAL/ IN LOCO (NGO))

Continuation _Steps in the decision making process (axis a)

2. DRAFTING
Public authorities have well-established processes for policy drafting. Here NGOs can be involved in areas such as identifying problems, proposing solutions and supporting their preferred proposal with, for example, research.
Level of participation
All levels of engagement apply. Facilitating opportunities for consultation should be a key element in this step as well as various forms of shared spaces to collect input from key stakeholders.
Useful tools and mechanisms
<ul style="list-style-type: none"> • Single information point to access detailed, timely and transparent policy background documents within the given field of drafting, information should be available in different formats to reach the public • Campaigns and lobbying, shaping the draft policy through e.g. position documents, manifestos or like • Consultations with stakeholders adhering to minimum mutually agreed terms or according to a consultation plan, either through meetings, web based or other formats. • Hearings with stakeholders (individuals or groups) for high level input, can be face-to-face or online • Expert seminars and meetings involving experts in the development of specialized research or studies that can be used in governments' drafts • Multi-stakeholders committees and advisory bodies. Advisory bodies or other mechanisms that consist of or include representatives from the NGO sector. Can be permanent or ad-hoc, consultative, monitoring or dialogue partner. Provides input to the drafting • Co-drafting. NGOs actively involved in drafting parts of the legislative process
Roles and contribution of NGOs
<ul style="list-style-type: none"> • Advocacy. Advocacy and campaigning plays an important role to guarantee that consideration is taken to all actors' needs and interests affected by the draft policy. • Information and awareness building. NGOs inform membership, users and key citizens' groups about the drafting process. • Experts and advisors. NGOs as experts with knowledge on a specific topic play a significant role in adding expertise to the draft. They can provide analyses and research on issues under consideration or raise additional priorities to be included in the policy draft. • Innovators: NGOs provide solutions through the introduction of new approaches and techniques which can bring considerable benefits to specific user groups. Their practical solutions offer concrete models that can provide useful input to policy drafting. • Service providers. NGO as service providers provide input to policy drafting to ensure consideration is given to their specific role and that necessary conditions for provision are included. • Watchdog. Follow the drafting process making sure all stakeholder opinions are considered and that the process is democratic and transparent.
Case study – Albania: Drafting the growth and poverty reduction program
The draft of the Medium-term Program “Growth and Poverty Reduction Strategy” (GPRS 2002 – 2004) was prepared under the guidance of the Prime Minister in an

intensive process of collaboration between public authorities and civil society. A two-tier structure was set up to institutionalize civil society participation: 1. Civil society advisory groups (CSAGs), broad groups of 10-20 key stakeholders, were established in each of the four key sectors: agriculture/rural, education, health and labour and social affairs. Each CSAG has selected 3-4 individuals to cooperate with the ministries' Working Groups and help draft the sector strategies for the GPRS. 2. The National Civil Society Advisory Group (NCSAG) ensured the participation of the full range of civil society in the preparation of the Strategy; this was composed of representatives of different civil society organizations and groups, representatives of the private sector, local government and other sections of society. NCSAG increased the inclusion of civil society experts in the technical groups and drew opinions and suggestions from civil society (by organizing regional and local meetings), thereby providing the framework for their contribution to the continuous improvement of GPRS drafts.

Continuation _Steps in the decision making process (axis a)

3. DECISION
Models for political decision taking vary based on national context and legislation. Common characteristics are the establishment of a government policy directive by a Ministry; and legislation, such as passing a bill by parliamentary vote or public referendum. Government bills and motions should be open to influence and participation of NGOs. The government should evaluate and find a balance between different views and opinions before the decision is taken.
Level of participation
Principally relevant for the levels of information and consultation as the final power of choice lies with the public authorities, unless the decision is taken by a public vote or referendum or a co-decision mechanisms is in place.
Useful tools and mechanisms
<ul style="list-style-type: none">• Campaigning aimed at influencing the choices of decision makers, like leaflets, websites, media releases and public demonstrations• Open plenary or committee sessions to ensure transparent debate during the decision making• Referendums and voting on specific policy: this can be face-to-face or e-voting tools• Joint decision-making tools. This includes civil society forums, consensus conferences and participatory mechanisms for joint decision making.
Roles and contribution of NGOs
<ul style="list-style-type: none">• Advocacy. Plays a key role towards democratising the decision-making process and influencing the decision takers through campaigning at the voting time• Information and awareness building. NGOs inform membership, users and key citizens' groups about the political decisions and their potential effect• Experts or advisors. Provide detailed analysis to inform and influence decision takers• Watchdog. Following the decision making process making sure it is democratic and transparent
Case study – Slovenia: Involvement of NGO representatives in funding decisions
The Government Office for European Affairs (SVEZ), which acts as national point for the Norwegian Financial Mechanism, has included NGO representatives (selected through selection procedure implemented by CNVOS) into the Management board for selection of projects within the mechanism.

Continuation _Steps in the decision making process (axis a)

4. IMPLEMENTATION
<p>This is the stage at which many NGOs are most active, e.g. 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 since there are no guarantees that the intended outcome will be realised.</p>
<p>Level of participation</p> <p>All levels of engagement are relevant. In particular the access to clear and transparent information on expectations and opportunities; provision of shared spaces for dialogue; and active partnership.</p>
<p>Useful tools and mechanisms</p> <ul style="list-style-type: none"> • Timely and transparent access to detailed documents on policy implementation guidelines • FAQ online or other channels to offer information presented as questions and answers, targeted towards providing practical help and guidance • Events, conferences, forums and seminars to inform and discuss the implementation of policy with NGOs and the public • Publicly advertised tender procedure, to provide an open transparent process for service provision • Government websites and E-mail alerts announcing upcoming project and funding opportunities • Capacity building. Development of capacity of community, local, regional and national organisations to ensure an active involvement in developing projects and provide services • Training seminars. Introducing and training stakeholders involved in or affected by the new policy to ensure agreed and clear and successful implementation. • Delegation of tasks. This allows for delegating parts of the policy implementation to NGOs, i.e. in service delivery for a sector umbrella to allocate funds to the organisations • Strategic partnerships. NGOs and government form partnership to implement policy, this may range from a small pilot scheme to a full implementation responsibility
<p>Roles and contribution of NGOs</p> <ul style="list-style-type: none"> • Service providers. As service providers and project leaders, NGOs are a key actor in implementing policy initiatives, often carrying the main responsibility. • Advocacy. at this stage, advocacy is primarily focused on public awareness raising, explanation of benefits, disadvantages and impact of policy • Watchdog. NGOs assess ongoing that the policy is implemented as intended for the users
<p>Case study – Slovenia: Waste management decision</p> <p>REC - Regional Environmental Centre for Central and Eastern Europe accepted the invitation of the Agency for Radioactive Waste Management to implement a project aimed at informing local communities and other environmental NGOs on how to participate in the decision-making process concerning the location of a radioactive waste disposal site.</p>

Continuation _Steps in the decision making process (axis a)

5. MONITORING
At this point the role of NGOs is to monitor and assess the effects of the implemented policy. It is important to have in place an effective and transparent monitoring system that promotes adherence to the policy objectives and intended purpose.
Level of participation
Relevant for all levels. To ensure access to transparent information; to consult; engage in dialogue; and partnership for a joint assessment of the policy's impact.
Useful tools and mechanisms
<ul style="list-style-type: none"> • Single information point, such as government web sites for provision of key documents on policy progress • Feedback mechanisms to follow progress like quick polls, web surveys, questionnaires • Evidence gathering: collect cases and statistics on project delivery • Evaluation of project through conferences and reporting • Independent scientific research studies to draw out key lessons • Permanent work group or committees consisting of NGOs (both users and providers) in charge of the monitoring and evaluation of the policy initiative
Roles and contribution of NGOs
<ul style="list-style-type: none"> • Advocacy. To monitor and voice whether the policy initiative reached the intended beneficiaries and whether it resulted in expected value for the end users. • Experts or advisors. Experts, such as think-tanks and research institutes, conduct research and observation to gather evidence on the policy's impact • Service providers. NGO as service providers have a responsibility to monitor the effects of the programme in terms of quality, sustainability and effectiveness. They also provide real case examples of effects. • Watchdogs. Play a priority role in monitoring effects of the policy, to ensure that the policy achieves the intended objectives.
Case study - Italy –Health services evaluations
The NGO <i>Cittadinanzattiva</i> created a partnership with Local Health Agencies and private companies to evaluate health services through instruments designed by the NGO. The public authority provided open access for the NGO to work in the health facilities.

Continuation _Steps in the decision making process (axis a)

6. REFORMULATION
At this stage the knowledge gained from assessing the policy implementation; coupled with evolving needs in society require a reformulation of policy.
Level of participation
Relevant for all levels, based on access to information and opportunities for highly engaged dialogue to identify needs and initiatives.
Useful tools and mechanisms
<ul style="list-style-type: none">• A single information point providing evaluations, study results and other evidence about the existing policy• Seminars & deliberative forums to involve interested stakeholders in developing new directions in policy field e.g. World café, open space, other brainstorming methods• Permanent work group or committee. NGOs form an expert group jointly with other stakeholders and government with the purpose of recommending a revised policy
Roles and contribution of NGOs
<ul style="list-style-type: none">• Advocacy. To lobby for renewal of policy by expressing limitations in the current policy, to meet the needs of users or citizens.• Experts or advisors. Conduct expert research and analysis to identify gaps in the current policy initiative and provide rationale for reformulation• Innovators. NGOs develop new approaches to tackle the relevant policy issue; this can be a key element in policy renewal• Service providers. NGOs may encounter obstacles to accomplishing their mission that can only can be resolved through a reformulation of policy
Case study – Slovenia – Revision of youth law
The Slovenian Youth Council (NGO) promoted a process to revise a law on Youth by drafting its own proposed law, conducting public debates and consultations with other NGOs, as well as advocating it in different circles (Slovenian Office for Youth, National Assembly, Ministry for Education and Sports , etc.), until the new law was approved by the National Parliament.

IV. Levels of participation (axis b)

1. INFORMATION
Access to information is the basis for all subsequent steps in the involvement of NGOs in the political decision-making process.
Level of participation
Low: one-way provision of information from government, no interaction with NGOs expected, no response given.
Principles, pre-conditions
<ul style="list-style-type: none"> • Open and transparent legislative process • Right to be informed for effective involvement • Timely access to relevant documents and public events
Role of NGOs
Build awareness about government policy and opportunities to participate in the policy decision making process with members and colleagues. Monitor government transparency regarding processes, action and information.
Role of government
Provide up-to-date information in an accessible format for all interested parties, regular provision.
Step in decision making
Relevant for all steps, essential at the beginning of the cycle.
Useful tools and mechanisms
<ul style="list-style-type: none"> • Campaigning: organisations raise a viewpoint or position using techniques like drafting and distributing documents, public campaigns, building alliances, press releases and press conferences • Government establishment of key contact person for NGO information provision (e.g. Croatian NGO office) • Government publish relevant, accurate and timely information on policy process, documents and political decision-makers • Development of documents and/or newsletters on a periodic basis to raise awareness among stakeholders, including policy information and step by step guide etc. • A single information point i.e. comprehensive database potentially including web sites and electronic mail to: access to key documents; announce public events; and receive feedback, comments and queries • Government allocated section of the website for NGOs according to each Ministry • FAQ online to offer information presented as questions and answers • Public information points – i.e. public libraries • Mass media – government to communicate effectively, to reach the widest range of participants in a transparent process, including print media and third-party publications, radio, television • Active involvement of government officials in various events organised by NGOs • E-tools for information sharing: E-mail alerts on specific policy areas, web casts from hearings, meetings and debates allowing people to watch and listen in real time, blogs by relevant public figures to focus on key experiences and share perspectives, (e.g. UK Foreign Office Minister blog)
Case study – Romania: A proactive approach
Local level government carried out training of civil servants in order to provide the

capacity and necessary tools to promote citizens' participation in public decision-making. This training focused primarily on sharing information in a clear, complete and transparent way with civil society and citizens; and on encouraging these groups to use the resources provided. (CREST Resource Centre)

Continuation Levels of participation (axis b)

2. CONSULTATION
Consultation is a form of initiative where the government provides an opportunity for NGOs to input experiences, views and recommendations to policy development.
Level of participation
<u>Medium</u> – Government informs NGOs of current policy developments and asks for comments, views and feed-back. The initiative and themes originates with the government, not NGOs.
Principles, pre-conditions
<ul style="list-style-type: none">• Advance notice. Invitation to stakeholders to be sent as early as possible in the process• Broad and inclusive invitation to all potential stakeholders• Adequate time for NGOs to disseminate and respond (at least 3 months and not during holidays)• Feed-back mechanisms and follow-up on contributions
Role of NGOs
Provide views, expertise and experiences (e.g. cases) in a specific policy area through collecting and debating the policy initiative within the NGO membership/in the wider third sector.
Role of government
To invite all stakeholders who are affected by the policy initiative to offer opportunity to provide input early in the process.
Step in decision making
Relevant for all stages of the decision making cycle. Especially relevant for drafting, decision-making, monitoring and reformulation.
Useful tools and mechanisms
<ul style="list-style-type: none">• Set minimum standards for consultation including; minimum timelines (e.g. min 12 weeks and not over holidays), means of consultation (written submission, web based, etc.), minimum standards relating to representativity, accountability and transparency of stakeholder groups, feedback mechanisms.• Ministries develop a consultation plan for each consultation to be used by government officials, including the following steps; initiator, coordinator, dates, forms of engagement, methods, assessment and results follow-up• Hearings with interested stakeholders (individuals or groups) for information exchange or consultation purposes: i.e. to identify and interpret the sensitivities and interests of the different groups with interest in or affected by the policy area• Web based consultation based on a structured approach with potential broad reach of participants• Evidence gathering: collect cases and elaborate on best practice and lessons learnt• Quick polls: a survey with simple 'agree/not agree' to a statement
Case study – Austria: Appropriate timetable and prompt feedback
The Austrian Federal Ministry for Education, Science and Culture set out the schedule for a set of strategic consultation meetings in advance; thereby allowing all stakeholders to plan ahead and guarantee their participation. During the meetings, the Austrian Ministry provided immediate feedback to the NGOs' inputs. Recommendations were taken into account in public meetings, they were recorded in the reports and some proposals were adopted when considered appropriate by the public authority. (The World of NGOs)

Continuation Levels of participation (axis b)

3. DIALOGUE
The level of dialogue can either be broad or more collaborative. A broad dialogue is a two-way communication built on mutual interests and shared objectives to ensure a regular exchange of views. A collaborative dialogue is built on mutual interests and shared objectives but for a <u>specific policy</u> development. The collaborative dialogue usually leads to a joint recommendation, strategy or legislation.
Level of participation
<u>Medium to high</u> . Broad dialogue ranges from open public hearings to specialised meetings with government. The discussion remains wide ranging and is not explicitly linked to a current policy development process. Collaborative dialogue is more empowered than the broad dialogue as it constitutes of joint, often frequent and regular, meetings to develop <u>core policy</u> strategies and will lead to agreed outcomes. Initiative for dialogue can be taken by either party.
Principles, pre-conditions
<ul style="list-style-type: none">• Clearly defined / relevant interlocutors• Advance notice• Jointly agreed and transparent documentation throughout the process including background documents, agenda, proposals, minutes and implementation• Respect, mutual understanding and trust• Follow-up and feed-back and commitment to action and shared outcomes Especially for the more collaborative dialogue: <ul style="list-style-type: none">• Legitimacy of organisation so they can represent a public interest, requires rules to ensure that NGOs are able to fully reflect the interests and concerns of their constituents and stakeholders• Mandate of NGO representatives based on internal democratic process and good governance
Role of NGOs
Suggest and/or host events, seminars or discussions from agenda-setting to participation. To bring expertise and knowledge for mutual benefit and share the responsibility of the outcome and potential follow-ups
Role of government
Provide a space and create an enabling environment for discussion. Active participation of relevant public authority representatives through bringing expertise and knowledge for mutual benefit. To share the responsibility of the recommendation and the outcome.
Step in decision making
Relevant for all steps in the cycle, but especially for agenda setting, drafting and reformulation
Useful tools and mechanisms
<ul style="list-style-type: none">• Events, conferences, forums and seminars. Events that are open to civil society and to NGOs to provide a shared space for awareness raising, discussions and debate on various political issues• Questions & answer panels exchange of views between public officials and NGOs; face-to-face or online• Web forums: dedicated website for two-way discussions on chosen topic• Capacity building Development of capacity of community, local, regional and national organisations as a form of active exchange between NGO representatives and public authorities around a specific theme

- **Training seminars** to improve the understanding of roles of both NGOs and public authorities to improve the ongoing dialogue around a specific theme
- **Exchange programmes:** staff exchanges to understand each other's realities (e.g. UK Parliament secondments scheme)
- **Expert seminars and meetings.** Targeted forums on specific policy topics for joint deliberation
- **Multi-stakeholders committees and advisory bodies.** Specific bodies consisting of or including representatives from the NGO sector such as user representatives, service providers or advocacy groups. Varies in form; permanent or ad-hoc, consultative, monitoring or a dialogue partner.
- **Petitioning.** NGOs initiate dialogue on a specific issue, include online tools like e-petition or web-forums
- **Citizen's initiative.** The right of citizens and civil society to recommend proposals for legislation (EU Lisbon Treaty proposed tool of 1,000,000 signatures in a significant number of member states which places an issue on the political agenda)

Case study – Latvia: Prime-minister and State Secretary meetings

In May 2005, a memorandum establishing guidelines of cooperation between public authorities and NGOs was agreed upon. Since then, the meetings and discussions between the Prime Minister and active NGOs take place twice a year. In February 2006 the Latvian Prime Minister organised a full week of discussions with representatives of national NGOs to evaluate current cooperation and to develop the system further. Through a representative of the NGO Centre in Riga, the NGOs are also regularly involved in decision-making processes by participating in weekly meetings of State Secretaries of the line ministries.

Continuation Levels of participation (axis b)

4. PARTNERSHIP
A partnership relationship implies shared responsibilities in all steps of the political decision making process from agenda setting, design, decision and implementation of policy initiatives.
Level of participation
Very high. At this level NGOs and the government come together for a close cooperation but still ensuring that the NGOs continue to be independent and have the right to campaign despite a partnership relationship. The cooperation includes activities such as delegation of a specific task to the NGOs for example delivery of services, participatory forums and establishment of co-decision making bodies.
Principles, pre-conditions
<ul style="list-style-type: none"> • Clearly defined/relevant interlocutors • Legitimacy of organisation so they can represent a public interest, requires rules to ensure that NGOs are representative • Common issues and an agreed problem to be resolved • Respect, mutual understanding and trust • Commitment to action by both sides and shared delivery of outcomes • The establishment of clear parameters of shared space • Allowing for NGOs to voice its values and opinions independently from the public authorities or the government
Role of NGOs
To bring expertise and knowledge for mutual benefit. To share the responsibility of the development and implementation of policy for a joint outcome.
Role of government
To establish a shared space for development and implementation of policy together with NGOs. To develop joint decision-making process with tangible outcomes.
Step in decision making
Relevant for all stages, in particular the decision-making, implementation and reformulation steps.
Useful tools and mechanisms
<ul style="list-style-type: none"> • Joint statements and drafting. NGOs and policy makers draft joint policy statements taking into consideration both party's interests. • Delegation of tasks. This allows for delegating parts of the legislative process to NGOs, i.e. in drafting policy statements • Strategic partnerships. A higher degree of NGO and government partnership than delegation where NGOs are responsible for key tasks in the policy area, such as policy development or allocations of funds for the sector • Permanent work group or committee. NGOs have a permanent role in the government structures as an expert group or committee
Case study – Slovenia: Partnership within Structural Funds 2007-2013
In accordance with the principle of partnership, the Structural funds should help assert NGOs as an equal partner in the dialogue with the Government - in preparing, implementing, monitoring and evaluating the Operational Plans. NGOs were also directly involved in the programming phase through elaborating suggested sub-programmes of the priority orientation of »Promotion of the development of NGOs, Civil and Social dialogue«. Through the project of »Identification of Target Projects for Co-funding the NGO sector from the EU Structural Funds in the 2007-2013 period«, implemented by CNVOS, 61 project outlines were received, that were

identified by NGOs as pivotal for the sector's development. This set of proposals provided the guidelines for the Ministry of Public Administration when preparing the call for projects.

Appendix 1:

Policy documents on Cooperation between NGOs and public authorities: compacts, strategies etc.

In several European countries the public authorities have adopted documents that set forth the mutual benefits of a more institutionalized relationship between the “first” and the “third” sectors. According to the ICNL’s research by Bullain and Toftisova (2005) they include:

- Bilateral documents of the “agreement” type (U.K. Compacts)
- De facto agreements adopted as official programs by government (Croatian Program for Cooperation) or Parliament (Estonian Civil Society Development Concept)
- Unilateral statements expressing commitments by one side only (Hungarian or Slovenian Government Strategy towards the Civil Sector).

UK: Compacts

In 1996 the independent Deakin Commission Report on the ‘Future of the Voluntary Sector’ called for a formal agreement between the government and the voluntary sector’. Following this, in July 1997, a conference of the leading NGO umbrella organizations backed the proposal for such an agreement. Participants at the conference established the Compact Working Group to bring together views of NGOs from all parts of the UK third sector. In October and November 1998, after several months’ consultations with government, four National Compacts were signed with the governments of England, Wales, Scotland, and Northern Ireland – the first such documents ever signed. Among the four national compacts, the Welsh Compact is the only one that is legally binding, although there is evidence that public law precedent recognises the duties and recommendations of the Compact. The National Compacts were followed by **local agreements** signed between the voluntary sector at the local level and local councils or other public bodies. In the English Compact, specific implementation articles provide for the preparation of **Codes of Practice** on consultation; funding and procurement; volunteering; community groups; and black and minority ethnic groups. There is an annual review of implementation of the Compact, including participation of NGO representatives, which examines the level of Compact awareness in government, and develops an outline of progress to be achieved during the following year.

Info:

http://www.thecompact.org.uk/C2B/document_tree/ViewACategory.asp?CategoryID=22

ESTONIA: Civil Society Development Concept (EKAK)

The Estonian Civil Society Development Concept is a document that was developed by the Network of Estonian Non-profit Organizations (NENO). In December 2002, the Estonian parliament, Riigikogu, adopted the Concept as a basis for co-operation with the Third sector. The Concept defines the mutually complementary roles of the public authorities and civic initiative, as well as the principles of their co-operation in shaping and implementing public policies and developing the civil society in Estonia. EKAK sets out the main obligations and rights in the co-operation between the public sector and non-profit sector which are related to the acknowledgement and representation of sides, their partnership, development of policies, use of resources and reporting.

Info: <http://www.emy.ee/alusdokumendid/concept.html>

CROATIA: Programme for Cooperation between the Government of Croatia and the Nongovernmental, Non-profit Sector, adopted by the Government in the first half of 2001, clearly recognizes the nongovernmental, non-profit organizations as important

social actors, especially in creation, monitoring and implementation of public policies and provision of public services. The Programme defines the principles, areas and manners of cooperation between the Government and the sector. It puts special emphasis on the principle of independence, i.e. the right of the organizations to comment on Government policies regardless of existing financial ties. The **National Strategy for Creation of Environment Stimulating to Development of Civil Society (2007-2011)**, adopted by the Government in 2006, defines the situation and goals in ten areas of civil society, including Citizens' participation in creation of public policies. The Government is currently also in the process of adopting a special **Code of good practice of consultation** with the interested public in development and implementation of public policies.

“THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA”: Strategy for Cooperation of the Government with the Civil Sector (2007-2011)

The primary aim of the Strategy is 'to raise the awareness and enhance the practice for establishing partnership between the Government and the civil society sector as well as transparency in the process of policy creating'. The Strategy includes measures to further strengthen the participation of the civil sector in policy-making processes. The intention of the Government is to develop a system of basic principles in order to expand possibilities for the participation of citizens and their organizations in the decision-making process. It shall guarantee the integration of CSOs' standpoints in the drafting, implementation, monitoring of public policies, and the reflection of their needs and priorities in those policies. Although the Strategy has a binding character only for the Government and the state institutions, it expresses the expectation of the Government that it should be implemented and applied by all stakeholders in the partnership.

BOSNIA AND HERZEGOVINA: Agreement on cooperation between the Council of Ministers of Bosnia and Herzegovina and the Non-Governmental Sector presents a general framework for intensification of the relations between the government and NGO sector, from the local communities up to the state level. The Agreement includes the provision for greater involvement of NGOs in »Policy Development and Consultations«. Together with the non-governmental sector, the Council of Ministers of BiH shall prepare the procedures, book of rules or the law of good practice to include the procedure of consultation, policy assessment, funding, implementation, evaluation and reporting.

SWEDEN: Agreement on cooperation between the social voluntary sector and the Swedish government. The Swedish agreement includes a common vision statement recognising the importance of the voluntary sector, it's right to be independent and to be a voice for specific groups and acknowledging the specificities of the sector. Both parties agree on the principles of independence, dialogue, quality, continuity, transparency and diversity. Based on the principles each party defines accountabilities and actions; such as open information sharing, inclusive consultation processes etc. The agreement will be followed by local agreements and implementation and follow-up mechanisms

Appendix 2:

Structures for Cooperation between NGOs and public authorities

Some countries have also set up permanent structures, such as specific offices, NGO coordinators or joint council structures to facilitate cooperation between NGOs and public authorities (within the government, ministries, the parliament) and the inclusion of NGOs in the development, implementation and monitoring of policies and programmes.

CROATIA: Government Office for cooperation with NGOs

The Office, established in 1998, is charged with supervision and implementation of the recently adopted Strategy for Creation of Environment Stimulating for Development of Civil Society, creation and submission of legal solutions for the sector, monitoring of distribution of financial support to NGOs by state bodies, and coordination of activities of national and local bodies regarding cooperation with the sector. The office works in close cooperation with the Council for Civil Society Development, for which it acts as a technical, administrative, expert and financial support structure.

“THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA”: Unit for Cooperation with Non-Governmental Organisations.

The Unit for Cooperation with Non-governmental Organizations was established in December 2004 within the General Secretariat of the Government with the aim of establishing closer cooperation between the civil society sector and the Government. The aim is to establish a functional network that would facilitate communication and coordination of the activities related to the development of the civil sector – both between the Government and civil society organizations and among other administration authorities. The Unit should therefore also achieve stronger inter-institutional cooperation. The Unit has also created a Strategy for Cooperation between the Government and the civil society sector and organized five public debates on the concept Strategy. According to the Strategy, the ministries will appoint responsible persons to develop cooperation between the relevant ministry and civil society organizations as well as cooperate with the rest of the ministries and other state authorities. The Government will also stimulate an exchange of experiences with the local self-government units in order to facilitate the implementation of this Strategy. On the local level some of the municipalities have employed civil servants responsible for cooperation with citizen associations and foundations.

“THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA”: The Office for contact between NGOs and the Parliament is a joint activity of the Parliament (Sobranie) and Citizen's association MOST. Its aim is to institutionalize the co-operation between the National Assembly and civic organizations, to provide the Parliament and civic sector with relevant data, essential for open and intensive dialogue and increase the input of civil sector in decision making process. The office also offers on-line communication, where the civil sector can give suggestions about certain changes and amendments of the laws.

Joint bodies (structures set up to institutionalize civil society participation)

BOSNIA AND HERZEGOVINA: On the basis of The Agreement on Cooperation between the Council of Ministers of Bosnia and Herzegovina and the Non-Governmental

Sector a **Board of Civil Society Bosnia** as a constitutive body of civil society in Bosnia and Herzegovina was set up. The Board consists of activists of the non-profit sector in Bosnia – delegates come from 31 different sectors of non-governmental institutions. The Board is at the starting point of its operation and in the process of consolidation. It will serve as a consultation body in cooperation with organizations of civil sector, international donors, citizens, and media.

CROATIA: The Council for Civil Society Development, a consultative expert body of the Croatian government, has 23 members: ten government representatives, ten NGO representatives, and three experts. The members are nominated by specific Ministries, NGOs and the Government Office for Cooperation with NGOs and approved by the government. The Council acts as a cross-sectoral advisory body to the government, primarily responsible for implementing the Program of Cooperation. The Council will continue monitoring implementation of the Program for Cooperation at the national and local levels and proposing further changes in legislation relating to NGOs.

“THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA”: **The National Council of Euro-integrations** is a newly established body of the national parliament to deal with European integration process. It involves both the ruling and opposition political parties as well as other stakeholders of a broader civil society - trade unions, chamber of commerce, religious communities and the representative of the Civic platform of the Former Yugoslav Republic of Macedonia.

SLOVENIA: Selection procedure of NGO representatives

CNVOS has developed a transparent process of selection of NGO representatives to be included in policy or decision-making bodies. The purpose is to offer all interested individuals and organisations, a unified procedure with clear rules, binding for all involved and according to principles of openness, equal opportunities and transparency.

Until now, there have been more than 16 selection procedures, including the NGO representative for the European Economic and Social Committee - EESC (with the Government Office for European Affairs); and other bodies that the government has set up for the purpose of including the NGO representatives throughout the policy-making process:

- preparation/drafting: working group for preparation of National action plan on social inclusion (Ministry of Labour, Family and Social Affairs);
- implementation: Council of the Government of the Republic of Slovenia for implementation of principle of equal treatment (Office for Equal Opportunities);
- and monitoring: Working group for monitoring the execution of National action plan on social inclusion 2004 – 2006 (Ministry of Labour, Family and Social Affairs); Monitoring Committee for the EQUAL initiative (Ministry of Labour, Family and Social Affairs); Supervisory Committee for Operational Programme for development of human resources for the period 2007 – 2013 (The Government Office for Local-Self-government and Regional Policy)

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