



MODEL STANDARDS FOR CIVIL PARTICIPATION IN THE DECISION-MAKING PROCESSES

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MODEL STANDARDS FOR CIVIL PARTICIPATION IN THE DECISION-MAKING PROCESSES

1. Aim of the Standards

These standards aim to strengthen and facilitate participation by individuals and civil society at large in the decision-making process. In this process *“civil society organisations play an important role as facilitators of a broad policy dialogue”*¹. **Civil participation** is the engagement of civil society organizations (CSOs), individuals and general civil society in the decision-making processes. **The decision-making process** covers the development, adoption, implementation, evaluation and reformulation of a policy document, a strategy, a ‘law or regulation’, or any process where a decision is made that affects the public, or a segment thereof.

The model standards propose simple rules on when and how CSOs should be involved in developing, implementing, or monitoring policies and legislation. They are meant to be followed and adapted by any political body that wants to set mechanisms for democratic decision-making and include civil society organisations in the decision-making process.

The model standards are inspired by the European Commission and Council of Europe principles and guidelines about civil participation in decision-making. In the northern part of Cyprus, the legal framework allows for various legal texts laying down the necessity of inclusion and cooperation with CSOs. These model standards include operational steps in implementing such inclusion and cooperation. They represent the minimum requirements for any participation process or mechanism that any regulation should consider.

The names of <the institution> and the document presented as <regulation> are adaptable to each situation. Throughout the text the term <the institution> could be replaced with the name of the institution that adopts the standards. Similarly, the term <regulation> could be changed depending on what is the type of document that the institution plans to adopt. However, it is important that <the regulation> is adopted and is binding for <the institution>.

2. Scope of the Standards

2.1. The standards for civil participation in the decision-making processes apply to the preparation of legal texts and normative documents, as well as strategies, policies and other official documents adopted by <the institution>. Standards are not applied only in exceptional circumstances; for each exception, specific reasons should be given.

¹ European Commission, Towards a reinforced culture of consultation and dialogue - General principles and minimum standards for consultation of interested parties by the Commission, COM(2002) 704 final

2.2 The <regulation> covers the different levels of civil participation: provision of information, consultation, dialogue and active involvement².

2.3 The <regulation> is adopted by the the monitoring of its implementation is entrusted to (*This needs to be discussed by each institution and decide who adopts and who will monitor implementation*)

2.4 Each legal text, policy or normative document developed by <the institution> should be accompanied with a description of how it was consulted with civil society.

3. General provisions

3.1 <the institution> appoints an official responsible (*you can name the specific official and his/her/their position*) for public consultations that serves as a contact point for civil society organizations. This person helps organize consultation procedures, monitors and reports their execution and analyzes their effectiveness, including making suggestions as to how they can be improved.

3.2 <the institution> creates on its website a section where it publishes all draft 'laws/policies'/documents to be consulted, information about the consultation process, and feedback to the comments received. This section also contains the contacts of the official/s in charge of communication with CSOs.

3.3 When planning the drafting of any legal text/'policy', <the institution> prepares a consultation plan – what would be the consultation methods to be used, who will coordinate the process, what would be the time schedule and how will information about the consultation be disseminated. <the institution> determines methods suitable for the participation process (face to face, online interview, round table meeting, conference, etc.). See the Annex for possible consultation methods that may be used at each participation level.

3.4 All legal text/policy drafting processes shall include a regulatory impact analysis. This analysis shall include a consultation process with different stages e.g. discussion of the objectives and the outline of the draft (before drafting has started); sociological and financial survey; expert/focus groups; written consultation of the draft (once it is prepared); etc. However, each draft should be subject to at least one written public consultation.

3.5 When engaging in consultations, <the institution> should comply with the following principles:

- Mutual respect between all stakeholders in the participation process;
- Respect for the independence of CSOs whether their opinions are consistent with those of <the institution> or not;
- Openness, transparency and accountability;
- Non-discrimination and inclusiveness so that all voices, including those of the less privileged and most vulnerable, can be heard and taken into account;
- Accessibility through the use of clear language and appropriate means of participation, offline or online.

² As defined in the Council Of Europe Guidelines for Civil Participation in Political Decision-Making, CM(2017)83-final, Adopted by the Committee of Ministers on 27 September 2017.

4. Provision of information

4.1 Provision of information is a necessary prerequisite and the first level of civic participation. It consists of a one-way provision of information from <the institution>. The information should be easily accessible, transparent, and available to public.

4.2 <the institution> should provide access to information to all interested members of the public throughout the entire policy cycle, including by publishing it on its website. It should ensure that the public receives timely and accurate information relevant for the process.

4.3 <the institution> presents all the information related to the public consultation in a clear and comprehensive manner, adapting it to the knowledge and needs of the public and CSOs using clear language. All available information related to the decisions, source documents, studies, reports, links, events, expert opinions, etc., is shared with the participants in the consultation process without any restriction. The information is provided in an accessible format and free of charge.

4.4 <the institution> should use diverse communication tools according to the different target audiences it wants to reach. Still, as a minimum, it should publish the information about the consultation on its website and social media pages and actively inform CSOs and citizens about any consultations, including through CSO mailing lists that it maintains, where all interested CSOs can add their contacts. Additional communication channels and consultation methods are defined depending on the consultation topic.

4.5 For each consultation, there is a responsible person whose direct telephone and e-mail contacts are provided for easy access.

5. Consultation

5.1. Consultation is the second level for ensuring meaningful civil participation in decision-making. It allows <the institution> to collect views and opinions of CSOs at large on a specific legal text, policy or other topic as part of an official procedure.

5.2. <the institution> should try to engage civil society as early as possible in the process of decision-making. If possible, such engagement should happen at the stage of development of the concept for the respective draft document to ensure CSOs and citizens are engaged in discussing the objectives of the respective initiative.

5.3 The announcement for the consultation is published at least 4 weeks in advance to provide sufficient time for CSOs to acquaint themselves and take part in the consultation process. In addition to the publication on the official website, CSOs or persons known to be related to a specific subject are proactively contacted by e-mail or other communication channels and invited to take part in the consultation.

5.4 The announcement should contain a timetable with the deadlines for providing feedback, finalizing the draft and eventually adopting it. Together with the announcement and the draft document, <the institution> should prepare a summary of the consultation subject in a brief and clear language which explains the background and the main questions that need to be answered during the consultation.

5.5 The period of consultation is determined according to the issue to be decided. A minimum of 4 and a maximum of 8 weeks are allowed for consulting. If there is a loss of time due to public holidays, etc. or if additional time is needed, additional 2 weeks may be given for consultation.

5.6 All written comments collected from the participants during the consultation process, are published on the Internet within 3 working days after the end of the consultation.

5.7 Within 15 days after the end of the consultation process, <the institution> should provide a resume of all comments received and the reasons why some were accepted and others were not. This resume will also be published on the Internet (including on the website section under point 3.2).

6. Dialogue

6.1. Dialogue entails a two-way communication between CSOs and <the institution> to exchange opinions in a structured, long-lasting, and results-oriented process. The initiative for dialogue can be taken either by CSOs or <the institution>.

6.2 In addition to one-way consultation, <the institution> creates different opportunities for dialogue. These may include regular public hearings, advisory councils, working meetings, or similar forms and structures.

6.3 When organizing working meetings or public discussions, <the institution> should provide at least 15 days advance notice for people to be able to plan their participation.

6.4 <the institution> should follow the standards for consultation (as listed between 5.2 and 5.7): seek broad engagement of CSOs, provide sufficient time, proactively ensure participation of specific CSOs related with the topic, publish report of feedback received and how the opinions received have been used for the decision.

7. Active involvement and partnership

7.1. Active involvement entails civic participation in decision-making that extends beyond dialogue, such as co-drafting/development of documents, co-implementing policies and joint decision-making mechanisms, ad hoc or permanent joint working groups.

7.2 <the institution> creates bodies or establishes formats where both its representatives and CSOs take jointly decisions on various aspects of local public life. Examples include permanent joint working groups, participatory budgeting, decision-making and monitoring committees that include CSO members and others (see more details in the Annex).

7.3 When <the institution> organizes working groups for drafting documents or other joint bodies, CSOs should be invited to participate through an open public call. In addition, the names of the CSO representatives in acting working groups should be publicly available. <the institution> should consider the recommendations of consultative bodies when making decisions.

7.4 When <the institution> creates joint bodies with CSO representation, there should be a transparent procedure for appointing them. The announcement for creating the body and soliciting CSO nominations should be public and the criteria for members should be clear. <the institution> respects

and ensures the independence of CSO members, and their rights to campaign/act irrespective of their status in these bodies or their partnership situation.

7.5 <the institution> should support administratively and financially the work of such consultative and decision-making bodies. Information about the work of the bodies and the results of their discussions should be public.

7.6 Consultative or decision-making bodies should adopt their own operational rules that should also be made public. They should contain the roles and responsibilities, procedure for organizing meetings, quorum, process of taking decisions or adopting recommendations, etc.

8. Monitoring and evaluation of participation practices

8.1 The effectiveness of civil participation is monitored and evaluated by a joint CSO/institution committee composed of equal number of CSO and institution representatives. The selection of CSO representatives should be made publicly following the rules described under point 7 above.

8.2 <the institution>, with the support of CSOs, develops a one-day educational module on the implementation of effective consultation with the interested public in the decision-making process. Regular training is provided to 'civil servants'.

Annex

Examples of participation formats

Provision of information

- Specialized section on the website of the institution
- Publication of information in local news outlets
- Use of social media
- Using popular CSO websites or weblists
- Creating a CSO mailing list
- Press-conferences; information sessions; etc.
- Publication of research/other materials

Consultation

- Brainstorming session on the concept for future policy/document
- Online written consultation
- Offline or online public discussions
- Public hearings
- Survey/questionnaire to test specific questions/ideas
- Collecting opinions/suggestions through e-tools such as online petitions; forms for complaints/ideas/suggestions; etc.
- Commissioning research to independent experts

Dialogue

- Public councils
- Open plenary sessions
- Availability of points of contact to collect ideas
- Multi-stakeholder forums
- Regular meetings/forums with CSOs to discuss existing problems
- Expert seminars
- Capacity building seminars
- Citizens' hearings
- Q & A sessions
- Advisory bodies

Active Involvement and partnership

- Joint working groups or committees (to develop draft policies; monitor their implementation, evaluation of impact; etc.)
- Collaborative drafting (e.g. using a cloud-based platform)
- Joint capacity building trainings on collaboration/participation
- Joint decision-making bodies including CSOs (e.g. for approval of investment proposals, construction, etc.)
- Participatory budgeting
- Adoption of policy documents for strategic partnership or support to civil society
- Strategic partnerships for solving specific problems