

COUNCIL OF EUROPE
COMMITTEE OF MINISTERS

Recommendation Rec(2001)19
of the Committee of Ministers to member states on the participation of citizens in local public life

*(Adopted by the Committee of Ministers on 6 December 2001
at the 776th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Considering that the aim of the Council of Europe is to achieve a greater unity between its members for the purpose of safeguarding and realising the ideals and principles which are their common heritage and to foster their economic and social progress;

Considering that participation of citizens is at the very heart of the idea of democracy and that citizens committed to democratic values, mindful of their civic duties and who become involved in political activity are the lifeblood of any democratic system;

Convinced that local democracy is one of the cornerstones of democracy in European countries and that its reinforcement is a factor of stability;

Noting that local democracy has to operate in a new challenging context resulting not only from structural and functional changes in local government organisation, but also from the radical political, economic and social developments that have occurred in Europe and the process of globalisation;

Aware that public expectations have evolved, that local politics are changing form and that this requires more direct, flexible and *ad hoc* methods of participation;

Considering that, in certain circumstances, the level of trust people have in their elected institutions has declined and that there is a need for state institutions to re-engage with and respond to the public in new ways to maintain the legitimacy of decision-making;

Recognising that a wide variety of measures are available to promote citizen participation and these can be adapted to the different circumstances of local communities;

Considering that the right of citizens to have their say in major decisions entailing long-term commitments or choices which are difficult to reverse and concern a majority of citizens is one of the democratic principles common to all member states of the Council of Europe;

Considering that this right can be most directly exercised at local level and that, accordingly, steps should be taken to involve citizens more directly in the management of local affairs, while safeguarding the effectiveness and efficiency of such management;

Reaffirming its belief that representative democracy is part of the common heritage of member states and is the basis of the participation of citizens in public life at national, regional and local level;

Considering that dialogue between citizens and local elected representatives is essential for local democracy, as it strengthens the legitimacy of local democratic institutions and the effectiveness of their action;

Considering that, in keeping with the principle of subsidiarity, local authorities have and must assume a leading role in promoting citizens' participation and that the success of any "local democratic participation policy" depends on the commitment of these authorities;

Having regard to Recommendation No. R (81) 18 of the Committee of Ministers to member states concerning participation at municipal level and considering that the changes that have taken place since its adoption justify that the latter be replaced by the present Recommendation;

Having regard to Opinion No. 232 (2001) of the Parliamentary Assembly;

Having regard to Opinion 15 (2001) of the Congress of Local and Regional Authorities of Europe and to the Congress' texts which are relevant in the field,

Recommends that the governments of member states:

1. frame a policy, involving local and – where applicable – regional authorities, designed to promote citizens' participation in local public life, drawing on the principles of the European Charter of Local Self-Government adopted as an international treaty on 15 October 1985 and ratified to date by a large majority of Council of Europe member states, as well as on the principles contained in Appendix I to this Recommendation;

2. adopt, within the context of the policy thus defined and taking into account the measures listed in Appendix II to this recommendation, the measures within their power, in particular with a view to improving the legal framework for participation and ensuring that national legislation and regulations enable local and regional authorities to employ a wide range of participation instruments in conformity with paragraph 1 of Recommendation No. R (2000) 14 of the Committee of Ministers to member states on local taxation, financial equalisation and grants to local authorities;

3. invite, in an appropriate way, local and regional authorities:

- to subscribe to the principles contained in Appendix I to this recommendation and to undertake the effective implementation of the policy of promoting citizens' participation in local public life;

- to improve local regulations and practical arrangements concerning citizens' participation in local public life, and to take any other measures within their power to promote citizens' participation, with due regard for the measures listed in Appendix II to this recommendation;

4. ensure that this recommendation is translated into the official language or languages of their respective countries and, in ways they consider appropriate, is published and brought to the attention of local and regional authorities;

Decides that this recommendation will replace Recommendation No. R (81) 18 concerning participation at municipal level.

Appendix I

Basic principles of a local democratic participation policy

1. Guarantee the right of citizens to have access to clear, comprehensive information about the various matters of concern to their local community and to have a say in major decisions affecting its future.

2. Seek for new ways to enhance civic-mindedness and to promote a culture of democratic participation shared by communities and local authorities.

3. Develop the awareness of belonging to a community and encourage citizens to accept their responsibility to contribute to the life of their communities.

4. Accord major importance to communication between public authorities and citizens and encourage local leaders to give emphasis to citizens' participation and careful consideration to their demands and expectations, so as to provide an appropriate response to the needs which they express.

5. Adopt a comprehensive approach to the issue of citizens' participation, having regard both to the machinery of representative democracy and to the forms of direct participation in the decision-making process and the management of local affairs.

6. Avoid overly rigid solutions and allow for experimentation, giving priority to empowerment rather than to laying down rules; consequently, provide for a wide range of participation instruments, and the possibility of combining them and adapting the way they are used according to the circumstances.
7. Start from an in-depth assessment of the situation as regards local participation, establish appropriate benchmarks and introduce a monitoring system for tracking any changes therein, in order to identify the causes of any positive or negative trends in citizen participation, and in order to gauge the impact of the mechanisms adopted.
8. Enable the exchange of information between and within countries on best practices in citizen participation, support local authorities' mutual learning about the effectiveness of the various participation methods and ensure that the public is fully informed about the whole range of opportunities available.
9. Pay particular attention to those categories of citizens who have greater difficulty becoming actively involved or who, *de facto*, remain on the sidelines of local public life.
10. Recognise the importance of a fair representation of women in local politics.
11. Recognise the potential that children and young people represent for the sustainable development of local communities and emphasise the role they can play.
12. Recognise and enhance the role played by associations and groups of citizens as key partners in developing and sustaining a culture of participation and as a driving force in the practical application of democratic participation.
13. Enlist the joint effort of the authorities at every territorial level, with each authority being responsible for taking appropriate action within its competence, according to the principle of subsidiarity.

Appendix II

Steps and measures to encourage and reinforce citizens' participation in local public life

A. General steps and measures

1. Ascertain whether, in a complex and increasingly globalised world, the relevance of local action and decision-making is made clear to the public by identifying core roles for local authorities in a changing environment.

2. Give proper emphasis to these roles and ascertain, if necessary, whether the balance of powers exercised at national, regional and local levels is such as to ensure that a sufficient capacity for local action lies with local authorities and elected representatives to provide the necessary stimulus and motivation for civic involvement. In this context, make use of every opportunity for functional decentralisation, for example by delegating more responsibilities with regard to schools, day nurseries and other facilities for children or infants, care facilities for the elderly, hospitals and health centres, sport and recreation centres, theatres, libraries, etc.

3. Improve citizenship education and incorporate into school curricula and training syllabuses the objective of promoting awareness of the responsibilities that are incumbent on each individual in a democratic society, in particular within the local community, whether as an elected representative, local administrator, public servant or ordinary citizen.

4. Encourage local elected representatives and local authorities, by any suitable means including the drafting of codes of conduct, to behave in a manner consistent with the high ethical standards and ensure compliance with these standards.

5. Introduce greater transparency into the way local institutions and authorities operate, and in particular:

- i. ensure the public nature of the local decision-making process (publication of agendas of local council and local executive meetings; meetings of the local council and its committees open to the public; question and answer sessions, publication of minutes of meetings and decisions, etc.);
- ii. ensure and facilitate access by any citizen to information concerning local affairs (setting up information bureaux, documentation centres, public databases; making use of information technology; simplifying administrative formalities and reducing the cost of obtaining copies of documents, etc.);
- iii. provide adequate information on administrative bodies and their organisational structure, and inform citizens who are directly affected by any ongoing proceedings of the progress of these proceedings and the identity of the persons in charge.

6. Implement a fully-fledged communication policy, in order to afford citizens the opportunity to better understand the main issues of concern to the community and the implications of the major political decisions which its bodies are called upon to make, and to inform citizens about the opportunities for, and forms of, participation in local public life.

7. Develop, both in the most populated urban centres and in rural areas, a form of neighbourhood democracy, so as to give citizens more influence over their local environment and municipal activities in the various areas of the municipality. More specifically:

- i. set up, at sub-municipal level, bodies, where appropriate elected or composed of elected representatives, which could be given advisory and information functions and possibly delegated executive powers;
- ii. set up, at sub-municipal level, administrative offices to facilitate contacts between local authorities and citizens;
- iii. adopt, in each area, an integrated approach to the organisation and provision of public services, based on a willingness to listen to citizens and geared to the needs which they express;
- iv. encourage local residents to become involved – directly or via neighbourhood associations – in the design and implementation of projects which have a direct bearing on their environment, such as the creation and maintenance of green areas and playgrounds, the fight against crime, the introduction of support/self-help facilities (childcare, care for the elderly, etc.).

B. Steps and measures concerning participation in local elections and the system of representative democracy

1. Conduct audits of the functioning of local electoral systems in order to ascertain whether there are any fundamental flaws or voting arrangements that might discourage particular sections of the population from voting and consider the possibilities of correcting those flaws or arrangements.

2. Endeavour to promote participation in elections. Where necessary, conduct information campaigns to explain how to vote and to encourage people in general to register to vote and to use their vote. Information campaigns targeted at particular sections of the population may also be an appropriate option.

3. Conduct audits of voter registration and electoral turnout in order to determine whether there is any change in the general pattern or whether there are any problems involving particular categories or groups of citizens who show little interest in voting.

4. Consider measures to make voting more convenient given the complexity and demands of modern lifestyles, e.g.:
 - i. review the way in which polling stations operate (number of polling stations, accessibility, opening hours, etc.);
 - ii. introduce new voting options, more in line with the aspirations of the citizens of each member states (early voting, postal voting, post office voting, electronic voting, etc.);
 - iii. introduce specific forms of assistance (for example for disabled or illiterate people) or other special voting arrangements for particular categories of voters (voting by proxy, home voting, hospital voting, voting in barracks or prisons, etc.).
5. Where necessary, in order to better gauge the impact of any measures envisaged, conduct (or allow) pilot schemes to test the new voting arrangements.
6. Examine the procedures for selecting candidates to stand for local elective office and consider, for example:
 - i. whether voters should be involved in the process of selecting candidates, for instance by introducing the possibility of presenting independent lists or individual candidatures, or by giving voters the option of casting one or more preference votes;
 - ii. whether voters should be given a stronger influence in the election or appointment of the (heads of the) local executives; this can be achieved by direct elections, binding referendums or other methods.
7. Examine the issues relating to plurality of elective office, so as to adopt measures designed to prevent simultaneous office-holding where it would hinder the proper performance of the relevant duties or would lead to conflicts of interest.
8. Examine the conditions governing the exercise of elective office, in order to determine whether particular aspects of the status of local elected representatives or the practical arrangements for exercising office might hinder involvement in politics. Where appropriate, consider measures designed to remove these obstacles and, in particular, to enable elected representatives to devote the appropriate time to their duties and to relieve them from certain economic constraints.

C. Steps and measures to encourage direct public participation in local decision-making and the management of local affairs

1. Promote dialogue between citizens and local elected representatives and make local authorities aware of the various techniques for communicating with the public, and the wide range of ways in which the public can play a direct part in decision-making. Such awareness could be developed through the publication of guidelines (e.g. in the form of a charter for public participation at local level), the holding of conferences and seminars or the establishment of a well-maintained website so that examples of good practice could be posted and accessed.
2. Develop, through surveys and discussions, an understanding of the strengths and weaknesses of the various instruments of citizens' participation in decision-making and encourage innovation and experimentation in local authorities' efforts to communicate with the public and involve it more closely in the decision-making process.
3. Make full use, in particular, of:
 - i. new information and communication technologies, and take steps to ensure that local authorities and other public bodies use (in addition to the traditional and still valuable methods such as formal public notices or official leaflets) the full range of communications facilities available (interactive websites, multi-channel broadcast media, etc.);
 - ii. more deliberative forms of decision-making, i.e. involving the exchange of information and opinions, for example: public meetings of citizens; citizens' juries and various types of forums, groups, public committees whose function is to advise or make proposals; round tables, opinion polls, user surveys, etc.
4. Introduce or, where necessary, improve the legislation/regulations which enable:
 - i. petitions/motions, proposals and complaints filed by citizens with the local council or local authorities;
 - ii. popular initiatives, calling on elected bodies to deal with the matters raised in the initiative in order to provide citizens with a response or initiate the referendum procedure;
 - iii. consultative or decision-making referendums on matters of local concern, called by local authorities on their own initiative or at the request of the local community;
 - iv. devices for co-opting citizens to decision-making bodies, including representative bodies;

- v. devices for involving citizens in management (user committees, partnership boards, direct management of services by citizens, etc.).
5. Give citizens more influence over local planning and, in a general manner, over strategic and long-term decisions; more specifically:
 - i. give citizens the opportunity to become involved in the various stages of the decision-making process concerning these decisions, notably by dividing this process into several stages (for example programming, drafting of projects and alternatives, implementation, budgetary and financial planning);
 - ii. illustrate each phase of the planning process by means of a lucid, intelligible material that is readily accessible to the public, using, if possible, in addition to the traditional methods (maps, scale models, audiovisual material) the other media available through new technologies (CD-Rom, DVD, electronic documentary bases accessible to the public).
6. Develop systematic feed-back mechanisms to involve citizens in the evaluation and the improvement of local management.
7. Ensure that direct participation has a real impact on the decision-making process, that citizens are well informed about the impact of their participation and that they see tangible results. Participation that is purely symbolic or used to simply grant legitimacy to pre-ordained decisions is unlikely to win public support. However, local authorities must be honest with the public about the limitations of the forms of direct participation on offer, and avoid arousing exaggerated expectations about the possibility of accommodating the various interests involved, particularly when decisions are made between conflicting interests or about rationing resources.
8. Encourage and duly recognise the spirit of volunteering that exists in many local communities, for example through grant schemes or other forms of support and encouragement for non-profit, voluntary and community organisations, citizens' action groups, etc., or through the forging of contracts or agreements between these organisations and local authorities concerning the respective rights, roles and expectations of these parties in their dealings with one another.

D. Specific steps and measures to encourage categories of citizens who, for various reasons, have greater difficulty in participating

1. Collect, on a regular basis, information on the participation of the various categories of citizens and ascertain whether certain ones such as women, young people, underprivileged social groups and certain professional groups are under-represented in the elected bodies and/or play little or no part in electoral or direct forms of participation.

2. Set targets for achieving certain levels of representation and/or participation of the groups of citizens concerned and devise packages of specific measures to increase the opportunities for their participation, for example:

- i. introduce, for the groups of citizens concerned, an active communications and information policy including, where appropriate, specific media campaigns to encourage them to participate (consideration will be given to adopting a particular language, media and campaign style geared to the needs of each group);
- ii. introduce specific institutional forms of participation, designed, where possible, in consultation with the group or groups of citizens whose involvement is being encouraged (there is a wide range of possibilities for meeting the specific needs of various groups, such as various forms of meetings, conferencing or co-option);
- iii. appoint officials specifically responsible for dealing with matters of concern to the excluded groups, passing on their demands for change to the relevant decision-making bodies and reporting back to the groups on the progress made and the response (positive or negative) given to their demands.

3. As regards women in particular:

- i. emphasise the importance of a fair representation of women in decision-making bodies and consider any arrangements which might make it easier to combine active political involvement with family and working life;
- ii. consider, if legally possible, the introduction of compulsory or recommended quota systems for the minimum number of same-sex candidates who can appear on an electoral list and/or a quota of seats reserved for women on local councils, local executive bodies and the various committees and boards formed by local bodies.

4. As regards young people in particular:

- i. develop the school as an important common arena for young people's participation and democratic learning process;
- ii. promote "children's council" and "youth council" type initiatives at municipal level, as genuinely useful means of education in local citizenship, in addition to opportunities for dialogue with the youngest members of society;
- iii. encourage youth associations and, in particular, promote the development of flexible forms and structures for community involvement, such as youth centres, making full use of young people's capacity to design projects themselves and to implement them;

- iv. consider the reduction of the age for voting in or standing for local elections and for participating in local referendums, consultations and popular initiatives;
 - v. consider the various other types of initiative suggested by the European Charter on the Participation of Young People in Municipal and Regional Life adopted by the Congress of Local and Regional Authorities of Europe in 1992.
5. As regards foreigners in particular, encourage their active participation in the life of the local community on a non-discriminatory basis, by complying with the provisions contained in the Council of Europe's Convention on the participation of foreigners in public life at local level of 1992, even when its provisions are not legally binding on states, or, at least, by drawing inspiration from the mechanisms referred to in this Convention.