

SESSION 2

Bringing parliamentary agenda closer to citizens in the modern era – sharing best practices

Background note

Since mid-1990s, many Parliaments have increasingly utilized electronic means, especially internet, to facilitate and streamline communication with their Members, parliamentary administration and public. With the ongoing rise of new electronic forms of communication, the role of Parliaments has been continuously shifting from their historical perception as the agent of the Demos to their new role in the modern era of governance. Indeed, openness (**the principle of transparency and the principle of participation**) has been addressed by many international organizations and initiatives, and many Parliaments have increased their commitment to transparency and to citizens' engagement in the parliamentary work and law-making. Starting with enhancing citizens' access to information based on freedom of information laws and proactive information disclosure on the parliamentary websites in an easy-to-use format, Parliaments have gradually comprehended that transparency goes hand in hand with the principle of participation.

Therefore, we could legitimately allege that *“bringing parliamentary agenda closer to citizens in the modern era”* should tackle at least three basic issues. Firstly, it is the citizens' right to be informed about the work of Parliament. **Recognizing public ownership of parliamentary information**, with limited and clearly defined restrictions, and transparency of the legislative process are of key importance for upholding integrity in the public sector and contributing to better governance.

Secondly, alongside proactive and on request dissemination of information, many Parliaments pay particular attention to **openness enabling citizens to participate** more closely within the decision-making process. Civic participation instruments may add to perceived legitimacy of Parliaments and may ameliorate the principle of democracy. Fostering a sense of ownership of public policies and facilitating citizens' involvement may contribute to citizens' understanding of the political system and the position of the Parliament therein. The more we bring our Parliaments to citizens, the more we will be able to face the rise of extremism and populism in our societies and party systems. Indeed, the populist and extremist tendencies and manners have been present in Europe over the last decades, but they have relatively recently benefited from a variety of issues such as economic and financial crisis, migration issues, security risks, low level of understanding of European political process and decision-making, lack of confidence in institutions and politicians, etc.. The concerns may be broadly the same, but the ideological roots and political strategies of such parties may be very different. Thus, there is neither universal, nor definite way to tackle such manners in our society and party systems. These issues need to be addressed at all levels of power in a transversal and exhaustive way.

Thirdly, advancing the culture of openness through legislation inevitably includes adoption of such internal **Rules of Procedure and Codes of Conduct for MPs** that would enable environment guaranteeing transparency of the legislative process and MPs' conduct. Some Parliaments have admitted that the legislative branch should be seen as a “display cabinet” of the society not only reflecting people's views, but also ensuring dignified and well-informed parliamentary debates. Thus, some Parliaments have adopted such amendments to their Rules

of Procedure and Codes of Conduct for MPs that would bring clear procedural rules and tackle potential disturbances of the plenary sessions and committee meetings.

The European Union *per se* has also reflected ever-growing demand for openness and transparency in our societies. In general, EU sees the principle of openness as “umbrella” term for the principles of transparency and participation. The European Union has undergone a wide-ranging change from a diplomatic approach to an institutional system requiring a democratic base. To point out only some of the milestones, the Declaration 17 to the Treaty of Maastricht linked transparency of the decision-making process and democratic nature of institutions. The Treaty of Amsterdam recognized the principle of openness and anchored it directly in primary law. Besides, these issues were addressed also by several Commission communications and the White Paper on governance 2001. The cornerstone of the right to access to administrative documents became the Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (1). The **Treaty of Lisbon** has led to a number of changes towards bringing EU closer to its citizens and fostering greater cross-border debate about EU policy issues. Openness has been enshrined directly in the Article 1 subparagraph 2 of the Treaty on European Union stipulating that: *“this Treaty marks a new stage in the process of creating an ever closer union among the peoples of Europe, in which decisions are taken as openly as possible and as closely as possible to the citizen”*. Furthermore, the new Article 11 has anchored a new dimension of the participatory democracy stating, in particular, that: *“the institutions shall maintain an open, transparent and regular dialogue with representative associations and civil society”* and introducing legal background for the European citizens' initiative. Principle of openness (transparency and participation) is further enacted also in Article 10 paragraph 3 of the Treaty on European Union and Article 15 paragraph 1 and Article 298 paragraphs 1 and 2 of the Treaty on the Functioning of the European Union (2). Therefore, the principle of openness might be considered as *sine qua non* for functioning of the European Union and its institutions.

The focal aim of this session is to **share lesson learnt and best practices** in the area of legislative transparency and openness. The more we bring our Parliaments to citizens, the more we will be able to face the rise of extremism and populism in our societies and party systems. Thus, the session will focus also on the ways to tackle populist and extremist rhetoric and manners in current politics and to ensure dignified and well-informed parliamentary debates.

Therefore, the session may cover the following issues:

- **parliamentary openness policies – current trends and trajectories** (transparency strategies, civic education programs, citizens' initiatives, crowdsourcing legislation, deliberative and participatory democracy projects, etc.);
- **use of new digital technologies for communication with citizens** (e.g. social media, e-petition websites, native mobile applications, responsive web design, etc.)
- **participation of non-members of National Parliament and Government** (e.g. Members of the European Parliament, experts, representatives of NGOs, citizens) **in parliamentary debates**;
- **tackling populist and extremist rhetoric and manners in current politics** (specific amendments to Political Parties Acts, Codes of Conduct for MPs, regulation of MPs' conduct and behavior in the parliamentary buildings, etc.);
- **ensuring dignified and well-informed parliamentary debates – trends and perspectives** (specific amendments to the Rules of Procedure, limitation of speaking time in parliamentary debates, extent of parliamentary non-accountability and inviolability, etc.).



Notes

(1) OJ L 145, 31.05.2001, p. 43

(2) For more information, please quod vide LABAYLE, Henri. *Openness, transparency and access to documents and information in the European Union*, Brussels: European Parliament, 2013, p. 8 Accessible on-line On: <[http://www.europarl.europa.eu/RegData/etudes/note/join/2013/493035/IPOL-LIBE_NT\(2013\)493035_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/note/join/2013/493035/IPOL-LIBE_NT(2013)493035_EN.pdf)>, accessed on 21 March 2017