

HOW TO LINK RECOMMENDATIONS OF CITIZENS ASSEMBLIES TO POLICY MAKING ?

— — — FIDE POLICY NOTE 01



FIDE is an international non-profit organization dedicated to the participation of every day citizens in policy-making. This paper draws on FIDE's members experiences designing deliberative processes across Europe.

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When initiating a deliberative process, policy makers turn to citizens drawn by lot to help them on a particular policy question. If the commissioning authority has not anticipated how it will communicate, respond to, and use the recommendations in the policy process, it can still end up with a perfectly designed citizens' assembly being evaluated as a failure which would risk even greater disillusionment in government. How can policy-makers avoid this?

A decision should always be made as to how the citizens' recommendations will be treated before a deliberative process is announced, clearly stating the commitment of the authority that will receive the citizens' report. This way, the commitment can be referenced in the invitation letters to the potential participants. The citizens that will take part in the assembly need to know that the time they volunteer will be valued and that their hard work and recommendations will receive a response. Furthermore, the wider public needs to know what role this assembly will have in developing the policy that will affect them. This is a crucial step that cannot be decided when the report is delivered by the citizens at the end.

Such decision first needs to consider where the assembly fits into the policy-process. If the government is still in an open phase of problem definition in a policy area or around a certain issue, it can opt to have a broad and generic remit for the assembly (e.g. "what should the future of our country be like?"). This can help make policy priorities or shape a strategic long-term vision. The output in such a process will often be a report or a strategy note by the authority and not specific policy recommendations. The participants need to be aware that this is what they are working on and when and how this output will be presented. As this type of assembly will not lead to very precise links with actual policy afterwards, this should clearly be communicated to avoid confusion and disappointment.

Most often, deliberative processes are used in the policy formulation phase and the output is intended to be translated into actual policy decisions. Then, how to link citizens assemblies' recommendations to policy making?

Firstly, it is necessary to consider **the degree to which recommendations that citizens will produce will be transferable into legal acts and specific policies**. This is directly related to the remit, how much time citizens have to investigate it, and hence the extent to which their recommendations are broad or detailed.

The remit should be formulated as a question that emphasizes a hard-unresolved problem in the chosen policy area for this political community. It should be ensured that time is adequate to the breadth and complexity of this topic. If time is short, narrow the topic to ensure you get useful outputs. If the goal is to have recommendations that can be transferred as directly as possible into actual policy-measures, the authority should commission a process-design that calls out this need for specific and actionable recommendations. It is good practice that the assembly include a rationale for each recommendation so the wider public knows why it was made.

If the assembly returns very broad and generic recommendations, the authorities will have the freedom to classify laws or policies as 'acting on the recommendations', but would likely feel to observers and the citizens involved as "participation-washing". **A precise remit and a process-design that allows citizens many days to learn, deliberate, and decide, increases the likelihood of detailed, specific policy recommendations.** These will be more useful for policy makers, will leave less room for interpretation, and it will be clearer for the observing parties whether recommendations are implemented.

Although it might seem tempting for a public authority to choose broad and generic recommendations as it leaves them more freedom, the process is less likely to produce useful results. It carries the risk of being meaningless, or perceived as political opportunism or tokenism.

What engagement should be given as an authority? There are several options for how citizens' recommendations can be taken in consideration:

A minimal option is that all **recommendations will be discussed during a plenary session of the legislative branch** (be it city council, regional/national/European parliament). Additionally, the commissioning authority provides a written response either accepting, rejecting, or amending each recommendation, with a rationale for why/why not within a reasonable amount of time (e.g. after 45 days).

A more substantial option is for the commissioning authority to state in advance that **recommendations that reach a certain threshold of support by the citizens' assembly members will receive a specific status.** For example, if 80% or more of the citizens vote in favour of a recommendation, then an authority could agree to accept it in advance. Clear justification in writing should be given for each recommendation that the commissioning authority fails to act upon within X amount of time. If there is a promise to follow up on a recommendation, then a 'road map' for the implementation should be part of the response after the assembly has come to an end. Citizens will accept that turning a policy recommendation into a legislative or executive act, and then into actual policy, might take time, but they need a clear indication and timing of the steps that will be taken.

Timing: Whichever the engagement level, **a number of contact moments between the commissioning authority and the assembly members need to be planned for the period after the recommendations are received.** Their timing should be announced in advance to the assembly. These contact moments serve to communicate and engage with the citizens and other stakeholders about the response and planned follow-up by policy-makers. In a parliamentary setting, a session can be tabled after two or three months to have a first discussion about which recommendations will be translated into policy or not, and why. A plenary session could be planned maximum a year after the recommendations were handed over to give an update of the situation. If the commanding branch of government is the executive, then this could be moments where the minister in charge of the policy specifies what follow-up has been made and if not, why so. In some cases, the follow-up takes longer than anticipated therefore, planning additional meetings should be possible.

Who: The citizens who take part in the assembly should be given the opportunity to take part in the sessions following the handing over of the recommendations. Notifying and inviting different stakeholders in the policy field (at least those that were invited to speak to the assembly) is also advisable. This way they become part of the subsequent policy-making step and this increases legitimacy.

Plan a budget for the follow-up: A substantial portion of an assembly budget is allocated to transport, remuneration and lodging of assembly members. If you draft the budget at the start of the process, consider that you will still have moments after the final report where citizens will come back to interact with the branch of government that gave the mandate to the assembly.

Communication: **In all cases the report with recommendations should always be publicly available at the end (or very soon thereafter) of the final session of deliberation.** If the report is substantial and needs to be edited for publication, a first draft or summary of the recommendations should at least be made available very quickly after the end of the assembly. The Assembly website can be used to report the different recommendations and which steps are taken in the follow-up process. This allows the wider public and the media to have a continuous source of information about the impact the assembly had in changing or creating actual policies. Justifications for recommendations that will have no follow-up should also be placed here, so they are public. If assemblies become used more often or are institutionalized, having a unified website where this information is available for the different recommendations from the different assemblies is key.