



# THE STATE OF THE RIGHTS TO ACTIVE CITIZENSHIP IN EUROPE.

## AN ASSESSMENT

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Monitoring and Evaluating the State of the Rights to  
European Active Citizenship

Final seminar

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## CONTENT

- Introduction
- Emerging phenomena
- Results of the evaluation process
- Conclusions

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## INTRODUCTION

- The experimental nature of the project
- Reporting on the kind of information that can be produced thanks to the Checklist
- Reporting on the results of the evaluation exercise using the Matrix

## EMERGING PHENOMENA

## RIGHT TO INTERVENTION

- Right not established in laws because advocacy is free.
- Supported by legally- or policy- or common practice-based tools: referenda, legal actions, ombudsmen, petitions, committees, task forces, media activism, information actions, lobbying, etc.
- Lack of resources especially for legal actions.
- Scant support of media: sensationalism, attention to actions and not to their reasons.
- Political interferences, major weight of trade unions and professional associations.
- No govts' transparency or responsiveness, no feedback, time and hours constraints, attitude to select and exclude ACOs, influence of personal relations.
- ACOs' financial dependence on govts, lack of infrastructures

## RIGHT TO CARRY OUT PREVENTION ACTIVITIES

- Right established mainly in policy procedures, usually accompanied by grants and tenders, especially in welfare policies, and relevance of public-private partnerships.
- Implementation through civic actions: awareness campaigns, free advice and counseling, training and capacity building, delivery of services (as social canteens), care of public spaces, activities in schools, publications, surveys & reports.
- ACOs lack of financial, structural and human resources and expertise; scant cooperation and distrust inside and between sectors; lack of transparency of ACOs and “dark side” cases.
- Institutions call ACOs to participate only to legitimate their choices; lack of legal framework for participation; prevailing informal contacts; cuts in public budgets; prejudices on ACOs and competition with them.
- Scant media support.

## RIGHT TO CONSULTATION

- Consultation is generally recognized in single laws, policy procedures or common practices. It is practiced in a wide spectrum of policy fields through various kind of processes, bodies and operational rules.
- Nevertheless, it has neither the appearance or the reality of a right that can be claimed; it seems rather an option of the public administration.
- The crucial point: the widespread practice of consultation does not imply an equal influence on the final result.
- Main problems and implementation gaps: lack of resources (money, time, expertise) and of a representative body of ACOs; culture and mechanisms of public administrations; lack of transparency; closed, uncertain and merely formal and bureaucratic procedures; lack of answers and in general lack of respect of rules on the governments' side.

## RIGHT TO EVALUATE

- The right is established in policy procedures and common practices in some policy fields.
- Taking into account the general scant aptitude to evaluate public programs, the right is far practiced, thanks either to governments or to ACOs' autonomous initiative, while the practice of evaluating the private sector is more diffused.
- Main problem: what happens when the evaluation is done. Also in case they are included in the evaluation process, or even when they autonomously give their evaluation, ACOs have scant effect in the final result of the evaluation.
- Among the hindering factors on the ACOs' side, the scarcity of information and the lack of umbrella bodies are reported.

## RIGHT TO ACCESS

- Everywhere: a law on the access to public information.
- Very rare right to access the media, but widespread practices.
- No right to have access to spaces and situations; very rare practices.
- Serious implementation gaps: documentation not available, not updated, difficult to understand; answers that do not answer, slow, bureaucratic, incomplete, given only to selected ACOs and depending on relations with public officials; lack of clear and uniform procedures; lack of competences of ACOs.

## RIGHT TO A QUALIFIED INTERLOCUTION

- The right is established mainly in policy procedures and common practices (e.g. list of ACOs or contact persons in institutions' websites, etc.).
- Interlocution is practiced (through dialogue committees, ad hoc commissions, roundtables, etc.), but is not qualified. It depends mainly on the motivation of the interlocutors rather than on their competence.
- Main problems: logistical constraints (e.g. hours and locations of meetings); powerless interlocutors or lack of people in charge of relations with ACOs; frequent turnover of officials that often are few, of low quality and not adequately trained; distrust in ACOs value and ability; political interferences.

## RIGHT TO RESPECT OF TIME AND OBLIGATION TO GIVE FEEDBACK

- Established in laws (ex. on petitions and complaints, access to information, etc.), in policy procedures and in common practices (e.g. public emails or phone numbers of public officials).
- No relevant practices on the respect of time detected. On the contrary, a “two-times-model” emerges: the one of ACOs must be very short, the one of institutions can be – and in fact is – very slow.
- Practices of feedback existing but inadequate: non pertinent, not motivated, evading problems, late, generic, bureaucratic, in fact discretionary – all that due to lack of competence of public officials, insufficient staffs, disorganization, not clearly defined procedures.

## RIGHT TO TRUST AND EQUAL DIGNITY

- The right is detectable mainly in policy procedures and common practices. Exceptions: a general framework for the relations btw govs and ACOs, a constitutional norm. Practiced mainly in policy planning.
- Everywhere: procedures of recognition, though not necessarily indicating trust or equal dignity.
- Positive indicators: recognition of good practices, joint commissions, access to public media.
- Crucial variables: public officials’ culture and attitude; ACOs experience, reputation and expertise.
- Problems: vague and arbitrary procedures of selection; arrogance and fear of interlocutors, distrust in the value of ACOs; asymmetry of powers; political interferences; ACOs’ lack of knowledge and relational abilities.

## RIGHT TO FACILITATION AND SUPPORT MEASURES

- Widespread laws facilitating the access to financial resources by European, national and local institutions; rare support to human resources.
- Main problem: low amount of available resources.
- Disregard for qualitative aspects of ACOs work; voluntary work not recognized.
- Lack of information, transparency and equity in the evaluation of projects, excluding weaker ACOs and privileging partisan choices.
- Complex procedures, time spending.
- Lack of participation of ACOs in the definition of funding programs and procedures.

## EUROPEAN UNION + COUNCIL OF EUROPE / 1

- *Intervention*: No legal recognition but commonly practiced. Not easy for ACOs due to the complexity of the EU.
- *Prevention Activities*: Scope to this right limited in the ACOs' practice of access to EU funds.
- *Consultation*: EU states importance of consult ACOs but not as a right and without providing conditions for them to do this effectively (time, language and resources).
- *Evaluate*: No legal framework, no common practices not implemented.
- *Access*: Only after the fact (official documents), while to participate in decision making requires information before. Access to relevant institutional activities a privilege for the few and Brussels-based.
- *Qualified Interlocution*: May exist difficult to locate proper interlocutors (names, addresses, etc.).

## EUROPEAN UNION + COUNCIL OF EUROPE / 2

- *Respect for time and obligation for feedback:* No & No. The only practice recognized by public official is that they must answer all correspondence within two weeks. Cases: use of ACOs' inputs but without either recognizing it or informing them.
- *Trust and Equal dignity:* In theory yes, in daily practice still lots of problems (ACOs not treated the same as other more traditional stakeholders).
- *Facilitation and Support:* Highly recognized but with the most problems in implementation. Primarily based on co-funding of projects which, due to complexities and restrictions, in the end causes more problems and difficulties than real support. On the other side core funding which provides more support and facilitation is extremely limited.

## RESULTS OF THE EVALUATION EXERCISE

## WARNINGS

- The exercise has concerned only 7 countries: Czech Republic, Germany and Poland have not been reported because of time constraints.
- It has been done jointly by the partners in two meetings and at distance.

## RESULTS FOR RIGHTS AND COUNTRIES

	BU	CY	GR	IT	RO	SL	TK	Aver.
1. Framew.	1.2	1.8	1.7	2.0	1.5	1.7	1.1	1.6
2. Intervent.	1.8	1.1	1.7	1.8	1.6	1.3	1.1	1.5
3. Prevent.	1.8	1.0	2.1	2.2	1.9	2.2	1.5	1.8
4. Consult.	1.8	1.3	1.7	2.3	1.8	1.7	0.9	1.6
5. Evaluate	0.8	1.1	1.0	1.1	1.2	0.8	0.5	0.9
6. Access	1.8	1.6	2.0	2.0	1.8	1.9	1.1	1.7
7. Interloc.	0.7	1.1	0.8	1.4	1.7	1.7	1.1	1.2
8. Time, FB	1.0	0.9	2.0	1.2	1.7	0.9	1.0	1.3
9. Trust	1.0	1.2	1.2	1.4	1.8	1.5	1.0	1.3
10. Facilit.	1.5	1.6	2.0	2.2	1.5	1.5	0.9	1.6
Aver.	1.3	1.3	1.6	1.8	1.7	1.5	1.0	1,4

Yellow: over the average. Blue: under the average

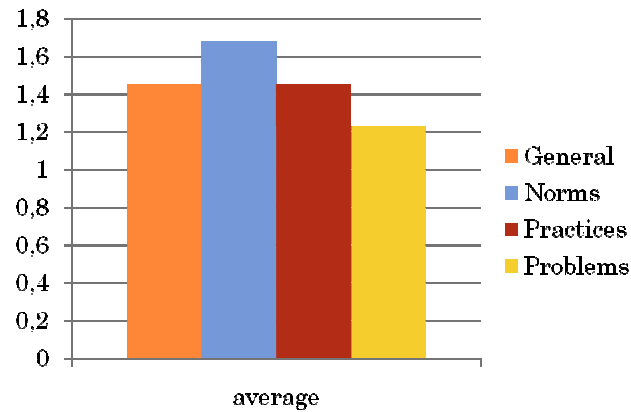
## TOPS AND BOTTOMS

- Most concerning situations:
  - Right to evaluate
  - Right to qualified interlocution
  - Right to trust and equal dignity
  - Right to time & feedback
- Best situations:
  - Right to carry out prevention activities
  - Right to access
  - Right to facilitation

## COUNTRIES' STRENGTHS & WEAKNESSES

Country	Strengths	Weaknesses
Bulgaria	<ul style="list-style-type: none"><li>• intervention</li><li>• prevention</li><li>• consultation</li><li>• access</li></ul>	<ul style="list-style-type: none"><li>• interlocution</li></ul>
Cyprus	<ul style="list-style-type: none"><li>• framework</li></ul>	<ul style="list-style-type: none"><li>• time &amp; FB</li></ul>
Greece	<ul style="list-style-type: none"><li>• prevention</li></ul>	<ul style="list-style-type: none"><li>• interlocution</li></ul>
Italy	<ul style="list-style-type: none"><li>• consultation</li></ul>	<ul style="list-style-type: none"><li>• evaluate</li></ul>
Romania	<ul style="list-style-type: none"><li>• prevention</li></ul>	<ul style="list-style-type: none"><li>• evaluate</li></ul>
Slovenia	<ul style="list-style-type: none"><li>• prevention</li></ul>	<ul style="list-style-type: none"><li>• evaluate</li></ul>
Turkey	<ul style="list-style-type: none"><li>• prevention</li></ul>	<ul style="list-style-type: none"><li>• evaluate</li></ul>

## IMPLEMENTATION GAP / 1



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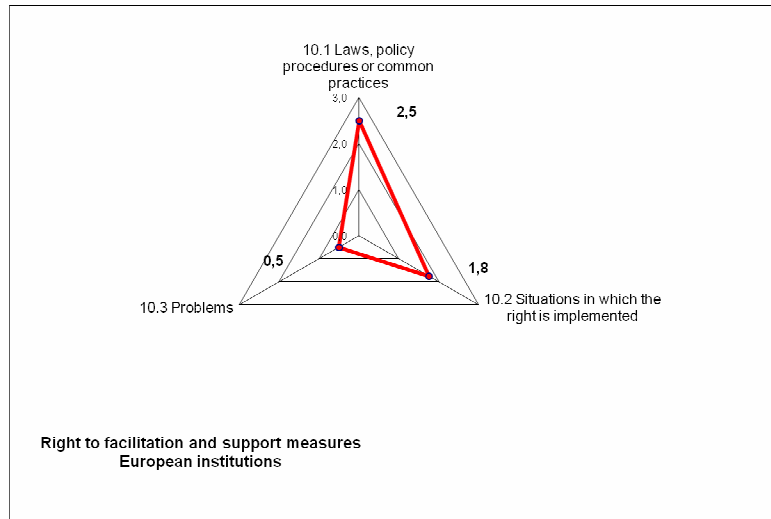
## IMPLEMENTATION GAP / 2

	BU	CY	GR	IT	RO	SL	TK	Aver.
4. Consultation	1.8	1.3	1.7	2.3	1.8	1.7	0.9	1.6
<b>4.1 Laws, policy procedures or common practices</b>	<b>2.1</b>	<b>1.5</b>	<b>1.8</b>	<b>2.6</b>	<b>2.3</b>	<b>2.0</b>	<b>1.3</b>	<b>1.9</b>
4.2 Situations in which the right is implemented	2.0	1.3	1.8	2.3	1.7	1.8	1.0	1.7
<b>4.3 Problems</b>	<b>1.3</b>	<b>1.1</b>	<b>1.5</b>	<b>1.9</b>	<b>1.4</b>	<b>1.2</b>	<b>0.5</b>	<b>1.3</b>

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## IMPLEMENTATION GAP / 3



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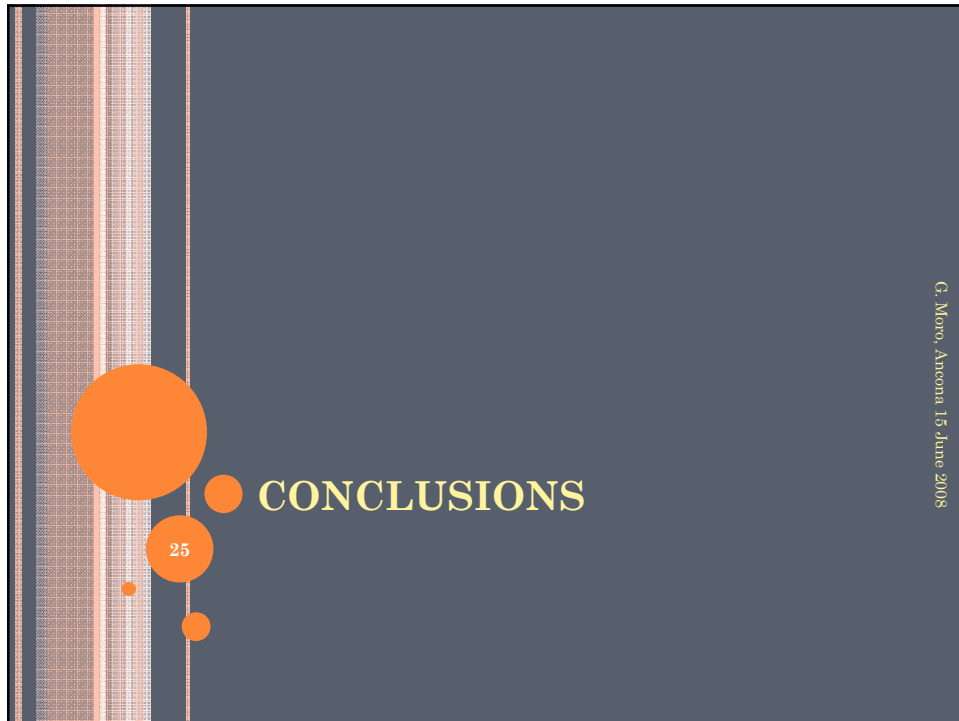
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## EUROPEAN UNION + COUNCIL OF EUROPE

	EU	Countries, average
<b>2. Intervention</b>	1,5	1.5
<b>3. Prevention Activities</b>	1,7	1.8
<b>4. Consultation</b>	1,8	1.6
<b>5. Evaluate</b>	1,1	0.9
<b>6. Access</b>	1,8	1.7
<b>7. Qualified Interlocution</b>	1,3	1.2
<b>8. Time and Feed back</b>	0,9	1.3
<b>9. Trust and Equal Dignity</b>	0,8	1.3
<b>10. Facilitation and Support Measures</b>	1,6	1.6

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## ON THE EMERGING SITUATION

- The amount of ACOs' and partners' activities mentioned in order to implement rights
- ACOs' contribution mostly successful
- ACOs' responsibilities
- Disabling role of the media
- The relevance of culture and organizational mechanisms of public administrations
- ACOs' weaknesses and responsibilities
- No excellence situations (around score 3) reported
- Some very concerning ones (esp. right to evaluate)
- EU situation not very different from the one of national countries (excepting higher expectations leading to more severe evaluations)

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## SOME FINAL REMARKS

- Citizens' activism in public policy making: a new phenomenon, not considered in traditional representative democracy architecture that meets much difficulty in adapting to.
- Europe: homeland of rights but not of their implementation. For this reason, a "lab" of new forms of democratic governance.