

Chapter 3.

Citizens' engagement as a crucial open government practice in Lithuania

This chapter reviews and discusses citizens' engagement in policy making and service delivery from an open government perspective. It presents and assesses its legal and policy framework and analyses the status of civil society and the culture of civic engagement in the country as a basis for successful open government policies. It then focuses on reviewing the practices of citizens' consultation and participation by looking at their implementation and impact, and recommends ways in which the government can enhance their inclusiveness and effectiveness in contributing to the policy-making cycle.

The reestablishment of Lithuania's independence and the adoption of the Constitution – which stipulates that Lithuania is a democratic republic “striving for an open, just and harmonious civil society and state under the rule of law” (preamble) – set the preconditions to develop a sound open government policy framework and an active engagement of citizens in the policy-making cycle. While civil protests characterised Lithuania's path to independence in the years 1988-91, popular mobilisation has ever since significantly decreased in the country, as is the case for many other post-Soviet states (Ekiert and Foa, 2011). Nevertheless, Lithuania has gradually embarked upon a path to establish an enabling legal, institutional and policy framework for citizens' participation over the last decades. Nowadays, the country needs to make an extra step to firmly establish openness and citizens' engagement as the default options for policy making and service delivery.

The current Lithuanian government has recognised the importance of building an open government that involves its citizens to address socio-economic challenges. Its guiding vision, Lithuania2030, sets out smart governance and smart society among its priority goals. Smart governance refers to governance that is open and participatory, promoting access to information, public consultation and participation in decision making. Smart society reflects the aim for a society that is open, creative and responsible, including an energetic civil society and a society that encompasses Lithuanians living abroad (State Progress Council, 2012). This chapter discusses how citizens' engagement can contribute to achieve these goals.

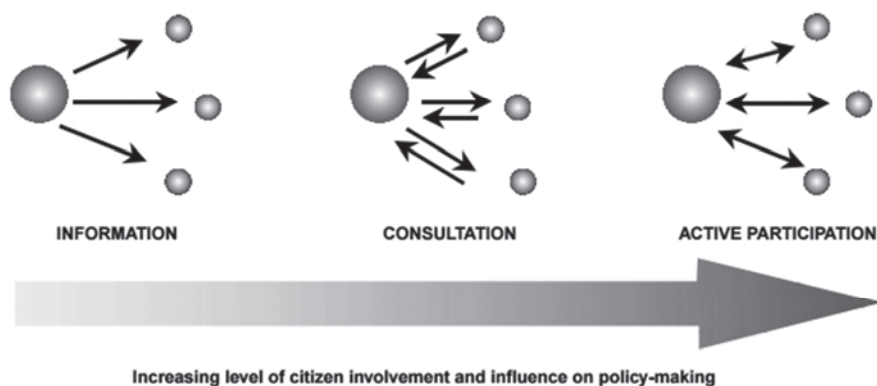
OECD approach to citizens' engagement

The OECD, together with its member countries, has been promoting open government reforms for more than a decade. The OECD defines open government as “the transparency of government actions, the accessibility of government services and information, and the responsiveness of government to new ideas, demands and needs” (OECD, 2005). Citizens' engagement, which is an inherent part of open government, refers to the idea that, to fully reap the benefits of active interaction with their population, governments should treat them as partners when providing information, consulting with or engaging them. These relationships are defined by the OECD as follows (OECD, 2001):

- Information is a one-way relationship in which government produces and delivers information to be used by citizens. It covers both “passive” access to information upon citizens' demands and “active” measures by government to disseminate information reaching them. Examples include access to public records, official gazettes and government websites.
- Consultation is a two-way relationship in which citizens provide feedback to government. It is based on the prior definition by government of the issues on which citizens' views are being sought and require provision of information. Governments define the issues for consultation, set the questions and manage the process, while citizens are invited to contribute their views and opinions. Examples include public opinion surveys and comments on draft legislation.
- Active participation is a relationship based on a partnership with government, in which citizens actively engage in defining the process and content of policy making. It acknowledges equal standing for citizens in setting the agenda, proposing policy options and shaping the policy dialogue – although the

responsibility for the final decision or policy formulation rests with the government. Examples include consensus conferences and citizens' juries.

Figure 3.1. **Defining information, consultation and active participation**



Source: OECD (2001), *Citizens as Partners: Information, Consultation and Public Participation in Policy Making*, OECD Publishing, Paris, <http://dx.doi.org/10.1787/9789264195561-en>.

OECD analysis and data collection show that providing information to citizens and actively engaging them can improve the efficiency and effectiveness of public administrations and increase the transparency and accountability of the public sector as a whole. In particular, availability of information fosters public scrutiny whereas through consultations, governments can receive new ideas and feedback from citizens on policies and services. Active participation promotes co-creation of policies and services enhancing both their quality and people's compliance. Overall, citizens' engagement (i.e. as the combination of information, consultation and active participation initiatives) has positive effects on people's trust in government and on the quality of a country's democratic life and has the potential to promote socio-economic development and generate the conditions for inclusive growth. Yet, for citizens' engagement to have these positive effects, and measurable impacts to be visible, it is important that citizen engagement is conducted following certain criteria. The OECD Principles for Open and Inclusive Policy Making (see Box 1.1 in Chapter 1) support countries in designing and implementing an effective framework for citizens' engagement and are based on concrete good practices implemented by OECD member countries. In particular, the principles first highlight the importance of co-ordination of engagement initiatives across the whole of government in order to avoid consultation fatigue and to create a coherent and systematic approach. Second, the principles stress the key role of accountability mechanisms, which implies reporting back to citizens about the impact of their inputs. Third, the role of monitoring and evaluation of participation initiatives to capture their effectiveness and outcomes is also underlined and, lastly, the principles emphasise the relevance of promoting an active citizenship that is capable of engaging with the government.

When designing and implementing citizen engagement initiatives it is equally important to keep in mind their specific objective to ensure that they are not implemented simply to comply with laws or regulations, but actually achieve the desired goals. Engagement practices can be successfully utilised to improve the performance of governments for the benefit of their citizens. Box 3.1 outlines typical expected benefits of consultation in the field of regulatory and legislative drafting processes in more detail.

These include improved compliance with legal provisions based on increased legal literacy and the anticipation of possible conflicts.

Box 3.1. Benefits of consultation

- **Transparency and access to information:** Public consultation can increase the transparency of the rule-making process because stakeholders have access to the process itself, as well as to timely and relevant information about the proposed legislation. Consultation therefore contributes to equal access to information.
- **Added value:** The public is a rich source of instant and updated information. It is the driver of innovation, and public consultation enables policy makers to make use of the public's precious experience and knowledge.
- **Alienation and connectivity:** Public engagement in rule making can raise support for regulations, as citizens feel connected to the policy-making process. Disenchantment with politics bears the risk of declining support for reform, and for undermining public confidence and trust in national political institutions.
- **Increased compliance:** Engaging the public and striving for consensus can help to increase the social acceptance of regulations. It can contribute to greater compliance and, therefore, reduce enforcement costs.
- **Regulatory literacy:** Stakeholders will learn about the complexities of setting regulations, finding compromises and trade-offs. Open government illustrates to the public the constraints and limitations faced by authorities. Public consultation therefore promotes public education on rule making, and provides stakeholders with a chance to increase their regulatory literacy.
- **Anticipating the impact:** Public consultation is necessary to anticipate the likely impact of the regulation on stakeholders, contemplate unintended consequences and consider alternatives to the proposed regulatory option.
- **Managing conflict:** Public consultation provides a mechanism to manage conflicts at an early stage. Engaging the public in rule making is one tool for mediating among various interests in society and increasing awareness of compromises.
- **Pursued public interest:** Quality regulations are based on public interest. Yet, public interest is not static – but a dynamic concept that needs to be continuously defined. Naturally, the definition and pursuit of public interest can only take place through dialogue with the public.

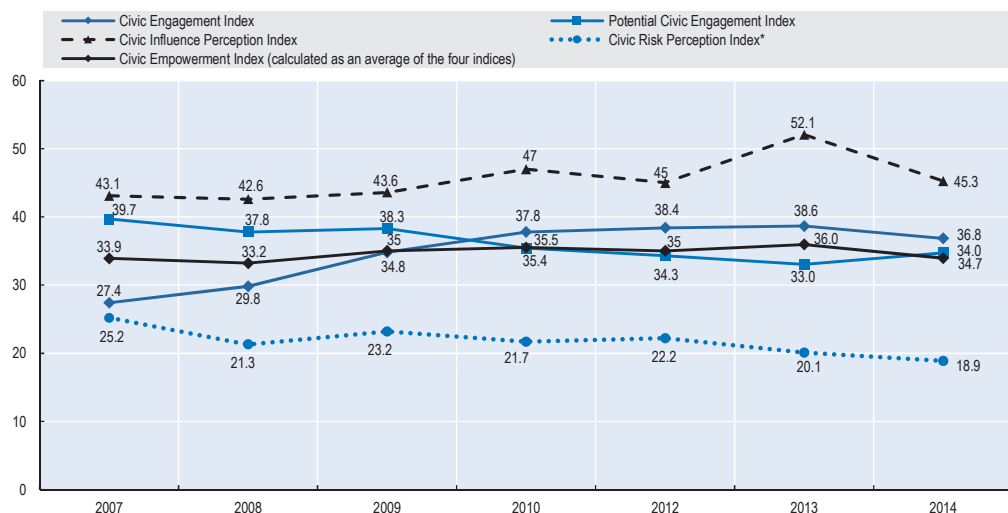
Source: OECD (2012), "Regulatory consultation: A MENA-OECD practitioners' guide for engaging stakeholders in the rule-making process", OECD, Paris.

Civil society engagement in Lithuania: Setting the scene

Lithuania has been generally successful in building a democratic state that guarantees civil liberties, political rights and freedoms – an important condition to enable civil society to thrive and citizens to participate in the political process (Cameron, 2007; Skaaning, 2006). This is confirmed by indicators such as Freedom House and the Economist Intelligence Unit's *Democracy Index*, which attributes Lithuania with a score of 9.58/10 for its electoral process and 9.71/10 for its civil liberties (Freedom House, 2014; Economist Intelligence Unit, 2014). At the same time, the Economist Intelligence Unit's *Democracy Index* points to challenges in the area of civic engagement with far

lower scores on political participation (6.11) and political culture (6.25). The Civic Empowerment Index developed by the Lithuanian Organisation Civitas (published by the Civil Society Institute) with a score of 34/100 in 2014 confirms limited civic engagement. In its strategic vision Lithuania2030, the government – based on the index – acknowledges that even though civic empowerment has improved, it is still relatively limited. The index measures through an annual survey, civic activity since 2007. It also looks at civil society's perception of its influence and of the risks potentially associated with civic activity (Civil Society Institute, 2015; State Progress Council, 2012).

Figure 3.2. Civic Empowerment Index 2007-14



Note: * Higher index values indicate that different risks related to civic engagement are seen by citizens as unlikely or very unlikely.

Source: Civil Society Institute (2015), Civic Empowerment Index 2014, www.civitas.lt/lt/?pid=74&id=78.

Their research shows that engagement of the general public in policy making faces several challenges, including a generalised disbelief that it can influence policy making and that collective action can make a difference. In addition, Lithuanians associate certain risks with civic engagement, which include job loss, physical harassment or threat, having a bad reputation or being seen as selfish.

Civil unrest characterised Lithuania's path to independence in the years 1988-91. Hundreds of thousands of people took to the streets to protest against Soviet rule and for independence. Since then, popular mobilisation has decreased in Lithuania, as in other post-Soviet countries. Government officials cited the moderate reaction of the people to the government's policies following the financial crisis in 2007/08 to illustrate the current political culture in the country. At the time, the government, in agreement with trade unions, cut public spending by 30% which did not ignite popular protest.

According to the Civic Empowerment Index 2014, the most popular civic activities in Lithuania are donating (56%), environment cleaning actions (50%) and community activities (33%), while getting in touch with public servants, demonstrating, signing petitions, boycotting and buying ethical goods are the least popular, with a participation rate of around 5-10% (Civil Society Institute, 2015). This is in line with the finding that protest campaigns are seen as a last resort only in the event of significant impact on living conditions and a threat to the political regime (Civil Society Institute, n.d.).

Changing the political culture is a challenge that Lithuania share with other former Soviet countries (Pop-Eleches and Tucker, 2013). Even though civic organisations and, in particular, trade unions existed under the Soviet regime, participation in these was often mandatory and regulated by the state. Thus, after independence a deficit of independent civic organisations and distrust in the public sphere characterised the context for civic engagement (Pop-Eleches and Tucker, 2013). Since then, there has been a rise in civil society organisations but the legacy of the Soviet regime continues to influence the political culture and scepticism to engage remains an issue, as interviews for this Review confirm.

Even though there has been a steady increase in the number of civil society organisations since independence, the proportion of the population involved in social activities remains rather stable. In 2014, around 8.9% of the population participated in societal movements and 8.2% in religious associations (Civil Society Institute, 2015). According to 2012 data of the National Register, around 24 000 civil society organisations (CSOs) are registered in Lithuania but it is estimated that only half of them are active. These CSOs include foundations, professional and business associations, hospitals, schools, local community organisations and other non-profits. Most of the organisations operate at the local level and are predominantly involved in cultural activities rather than in activities that involve the government (USAid, 2012). It also appears that CSOs are facing several challenges, including a lack of stable funding, limited professionally skilled staff and high reporting requirements from donors (USAid, 2012).

The CSO landscape is pluralistic with diverse opinions represented. An organisation like the Lithuanian Non-Governmental Organisation Information and Support Centre (NISC; Box 3.2) tries to act as an umbrella organisation, though not all major non-governmental organisations (NGOs) are part of this structure, and it attempts to improve knowledge about the Lithuanian NGO sector and to co-ordinate the National NGO Coalition (NISC, 2015). Still, public institutions find it difficult to engage with the third sector as a whole due to a still important degree of fragmentation, which results in a limited number of CSOs often invited for consultation.

A conducive legal framework for citizens' engagement

Constitution

The Constitution of 1992 states that Lithuania is a democratic republic (Article 1), which guarantees civil liberties and participation of citizens in political affairs. In particular, the Constitution makes explicit reference to the following rights: freedom of expression (Article 25); the right to participate directly and through elected representatives; the right to criticise the work of the state while prosecution of criticism is forbidden; the right to petition (Article 33); the right to form political parties, societies, associations (Article 35) and trade unions (Article 50); and the right of legislative initiative (Article 68). The provisions include the right to complain about abuse of authority and the creation of the Seimas Ombudsman (Article 73). Furthermore, the Constitution creates the possibility for referendum on the most significant issues concerning the life of the state and nation or when proposed by at least 300 000 citizens. Lithuania's EU membership, for example, was submitted to referendum. Since 1990, 11 referenda have been held.

Box 3.2. The Non-Governmental Organisation Information and Support Centre (NISC)

The NISC is a non-governmental organisation that was established in 1995 by the Open Society Fund Lithuania (OSF) in collaboration with the United Nations Development Programme (UNDP). Its strategic goals are:

- Strengthening of the NGO sector (organisations): dissemination of information, consulting, training, methodological assistance, databases, various conferences and forums.
- Development and strengthening of NGO coalitions: development of NGO coalitions in various public policy areas, expansion of the NGO network, development of a national organisation uniting NGOs, development of an accountability system for the coalitions.
- Strengthening of co-operation between NGOs and the government: monitoring legal regulation pertaining to NGO activities, preparation of law proposals for the Seimas and the government, improvement of the 2% income tax donation mechanism, improvement of NGO funding systems at the national and municipal levels, development of an NGO representation mechanism.
- Improvement of NGO environments: increasing awareness of NGOs in society, development of the online bulletin *The Third Sector*, dissemination of information about Lithuanian NGOs in national and international publications, administration and renewal of the NISC website, creating a positive image for the NGO sector.
- Development of volunteer work traditions: preparing and implementing a proposal for the legal regulation of voluntary work, creating conditions that could ensure the systematic compensation and execution of voluntary work, creating greater societal awareness about voluntary work.

Source: NISC (2015), Non-Governmental Organisation Information and Support Centre website, www.3sektorius.lt/en.

Box 3.3. Seimas Ombudsmen

In line with most OECD countries, Lithuania established an Ombudsman Office based on its constitutional provision and the Law on the Seimas Ombudsmen (1998). The purpose of the Ombudsmen is to “protect a person’s right to good public administration securing human rights and freedoms, to supervise fulfilment by state authorities of their duty to properly serve the people” (Article 3). This independent institution, which is accountable to the Seimas (parliament), thus watches over the activities of the public administration. It investigates complaints addressed to it by citizens or by members of the Seimas and can open an investigation on its own initiative (for example based on reports by the mass media). The activities of the President, the members of the Seimas, the Prime Minister, the government, the State Controller and the judges of the Constitutional Court or other courts and municipal councils are, however, outside of its jurisdiction. Currently, the Ombudsmen is aiming to become also a national human rights institution, as there is no institution responsible for monitoring human rights in Lithuania.

In 2013, the Seimas Ombudsmen received 1 846 new complaints and initiated 22 investigations itself. Of these complaints, 1 382 were against officials of state institutions and 628 against officials of municipal institutions (164 complaints related to both). Of the closed complaints, approximately half were refused and half were investigated on the merits. Twenty-two percent of investigations against state officials and 42% of complaints against municipal institutions were declared justified. In 2013, the Ombudsmen provided 903 recommendations.

Box 3.3. Seimas Ombudsmen (*cont.*)

Table 3.1. Ten institutions against which the largest number of complaints were received in 2013

Institution	Number of complaints received	Number of complaints refused to be investigated	Number of complaints investigated on the merits
1 Vilnius City Municipality	213	85	119
2 Lukiškės Remand Prison – Closed Prison	103	47	50
3 Pravieniškės Correction House – Open Prison Colony	102	77	37
4 National Land Service under the Ministry of Agriculture of the Republic of Lithuania	75	29	37
5 Vilnius Correction House	65	36	30
6 Kaunas City Municipality	64	33	40
7 Central Prison Hospital	57	24	32
8 Alytus Correction House	39	21	19
9 Marijampolė Correction House	35	20	18
10 Vilnius District Municipality	33	13	16

Table 3.2. Review of investigations of complaints by ministry, institutions and agencies attributed to its management sphere

Ministry, institutions and agencies attributed to its management sphere	Received complaints	Investigations refused	Investigated on the merits	Decisions made	Justified complaints	Dismissed complaints	Investigation discontinued	Recommendations provided
Environment	93	33	44	49	25	13	11	72
Energy	14	4	7	8	3	2	3	7
Finance	29	18	9	10	4	4	2	2
National Defence	3	1	0	0	0	0	0	0
Culture	6	3	1	1	1	0	0	3
Social Security and Labour	51	21	23	23	8	8	7	27
Communications	9	3	7	8	1	5	2	3
Health	37	14	17	20	9	8	3	24
Education and Science	6	5	3	4	2	1	1	4
Justice	565	292	270	380	44	280	56	62
Economy	7	4	3	5	1	1	3	5
Foreign Affairs	2	0	1	1	0	1	0	2
Interior	127	58	54	59	10	42	7	11
Agriculture	241	111	109	131	46	37	48	145

Openness about the activities of the Seimas Ombudsmen and abuse of office by the public administration is enshrined in its law. The Seimas Ombudsmen publishes its annual report as well as the statements on complaints, which include the complaint and its analysis on its official website. The state or municipal institutions which are concerned are required to publish the Ombudsmen's recommendations on their own website. This does, however, not yet occur in all cases.

Source: Seimas Ombudsmen (2013), "Summary of the annual report of 2013 on the activity of the Seimas Ombudsmen", www.lrski.lt/images/dokumentai/SK%20ataskaita%20EN.pdf accessed (20 March 2015).

Legal framework for non-governmental organisations

From a legal perspective, NGOs are clearly defined only since 2013. The Law on Development of Non-Governmental Organisations (2013) states that an NGO “shall mean a public legal entity, independent from state and municipal institutions and agencies, which acts on a voluntary basis for the benefit of society or its group, and which does not have the aim to seek political power or purely religious goals” (Article 2). The law sets out as one of its main aims to foster the development of NGOs and their engagement with state and municipal institutions, an important step to promote civic empowerment. The Ministry of Social Security and Labour is responsible for the formulation, implementation, and co-ordination of an NGO development policy and municipal institutions for NGO development at the local level. Engagement of NGOs shall include:

- providing information on activity and co-operation policies of state and municipal institutions
- consulting with NGOs
- financing NGOs’ programmes, projects and initiatives.

Box 3.4. Promoting the third sector in Estonia

Like Lithuania, Estonia regained its independence in the early 1990s. All democratic institutions and practices had to be reinstituted and a third sector had to be established. The government developed a number of instruments and practices to ensure inclusive policy making. They included:

- a Civic Society Development Plan 2011-2014
- a Citizen Engagement Good Practice Guide (2011)
- joining the Open Government Partnership (2011)
- e-Estonia: an online portal with a variety of public services and information
- e-law: an online portal about all legislative drafts and related documents in the legislative procedure
- participate.ee: a platform for citizens to bring forward new ideas, comment on draft laws, sign petitions and collect signatures for a new draft or proposal
- common web platform for local governments which includes e-tools for citizen engagement.

Support structures for the sector include:

- a third sector fund: builds third sector capacity, finances projects, co-ordinates co-operation between national level trusteeships and networks that act in public interests
- EAS Enterprise Estonia: regional development centres that provide free information, consultation, third-sector capacity building at the local level
- Local Initiative Programme: training and support on how to start projects.

Source: Sepper, M.-L. (2014), “Citizen and NGO engagement in policy making – Estonian experience”, presentation, 19 November, Amman, Jordan.

The law creates a national NGO Council as well as municipal NGO councils acting as advisory bodies. The national NGO Council has the following tasks:

- submit proposals regarding the priorities of an NGO development policy
- submit proposals for the funding priorities of programmes for NGOs
- publish a report on the state of NGOs in Lithuania
- other functions as set out in the regulation.

The NGO Council is composed of 20 members:

- 9 state institutions
- 1 representative of the Association of Local Authorities
- 10 representatives of NGOs.

These NGO councils have been created with the purpose of facilitating the interaction between the government and civil society. However, the national NGO Council was only created in summer 2014 and held its first meeting on 11 February 2015 (Ministry of Social Security and Labour, 2015). The effectiveness of the council can therefore not yet be evaluated. However, its establishment was a long process and several NGOs, such as Transparency International Lithuania, criticised the unclear selection procedures of its members. Nevertheless, the national council, as well as the municipal ones, represents a much needed opportunity to strengthen engagement with state institutions and foster NGO development.

Access to information

Access to information – both through the proactive release of information and the passive release of information – is a key pillar of open government policies and important to foster informed engagement of citizens as well as public scrutiny. The Law on the Provision of Information to the Public (adopted in 1996) and the Law on the Right to Obtain Information from State and Municipal Agencies (2000) guarantee access to the information of the public sector and outline the procedure to collect and disseminate this information. In addition, Lithuania has signed the Council of Europe Convention on Access to Official Documents (2015) and the UN Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (2015).

The law guarantees the right to obtain information, to reuse it for commercial and non-commercial reasons and to criticise the state. This right applies to citizens and legal persons of Lithuania and states of the European Economic Area as well as to foreign nationals with a residence permit. In 71% of OECD countries (of those that participated in the 2011 OECD survey), there is no legal restriction concerning the status of applicants (OECD, 2011a). Applicants have to provide their name and address, thus the procedure does not permit anonymous information requests. Information must be provided within 20 days, in line with most OECD countries (OECD, 2011a). Disseminators of public information and journalists have the right to receive the information within one day if it does not require the production of additional data, and if it does, within one week (Article 6.4 of the Law on the Provision of Information to the Public).

In accordance with good practices of OECD countries, the provision to obtain information in Lithuania refers to all levels of the state, yet it excludes the legislative

branch; the latter being the case in about half of OECD countries (OECD, 2011a). In addition, Lithuania's law includes companies and institutions providing services, state and municipal enterprises, public institutions at least partly owned by the state or by municipalities, and public and private companies where the state or municipalities hold 50% of the vote in the meeting of shareholders.

Access to information is guaranteed, except when it may be restricted by law to protect Lithuania's state security, territorial integrity, public order, constitutional system, impartiality of judicial authority, public health and morality, private life and dignity (Article 3.4 of the Law on the Provision of Information to the Public). These exceptions are similar to practices in OECD countries (OECD, 2011a). Information may also not be provided if it pertains to state, professional, commercial and bank secrets (Article 18.1 of the Law on the Provision of Information to the Public). An institution may also refuse to provide information if it requires work and time effort that is considered disproportionately high (Article 16.2.1 of the Law on the Right to Obtain Information from State and Municipal Agencies). The law does not mention harm test or public interest to override exceptions in contrast to most OECD countries (Global Right to Information Rating, n.d.).

Any refusal must be justified in writing and the applicant can appeal to the court, the Chief Administrative Disputes Commission or file a complaint with the Seimas Ombudsmen. The number of complaints filed with the Seimas Ombudsmen amounted to 45 in 2013 and to 75 in 2014. According to interviews with the institution, the Ombudsmen mainly make recommendations on access to information when it is based on a concrete case, even though they also have the mandate to oversee the implementation of access to information. Many countries have established an information commissioner or another similar oversight body. In addition to powers to supervise and promote the implementation of the law, they often have the authority to receive and review complaints on access to information. In Lithuania, the Office of the Inspector of Journalist Ethics is responsible for public information and can make recommendations on laws regarding access to information.

Referenda and petitions

The Law on Referendum (2002) lays out the procedures for referendum as guaranteed in the Constitution. It creates the opportunity for mandatory and consultative referendum. Mandatory referenda are required for the amendment of certain constitutional provisions, to join international organisations that require a transfer of power, and other laws or provisions thereof under specific circumstances. Consultative referenda can be called upon by 300 000 citizens or the Seimas on issues of utmost importance to the state and the people. For the referendum to be considered valid, over half of the citizens eligible have to vote. Except for changes of constitutional provisions, a decision is approved if half of the population who voted in the referendum and at least one-third of the total eligible population voted in favour.

The Petition Law (1999) guarantees a citizen the right to submit a petition to the parliament, government or municipal authorities on human rights and freedoms, state and municipal institution reform or other issues relevant to the public, municipality or state. The parliament's Petition Commission decides upon the validity of the petition. If an applicant does not agree with the decision of the commission, he or she can resubmit his petition. Anonymous petitions are not accepted. In 2014, the Petition Commission of the Seimas received 67 petitions and formulated 98 proposals (Seimas Petition Committee,

2014). The right of legislative initiative enables citizens to propose laws when at least 50 000 citizens support it. The Seimas is then required to discuss the draft law, verifying first if it complies with existing ones (Office of the Seimas, 2006).

Local government

The Law on Local Self-Government outlines in detail the mechanisms citizens have to influence or participate in policy making at the local level and ensure transparency of the process. It enshrines participation in municipality affairs (Article 4.9) as well as transparency of activities (Article 4.10). Further, the law establishes the following citizen engagement mechanisms:

- Access to information: Residents are entitled to get access to draft decisions of municipal institutions and receive public and justified answers (Article 4.12).
- Municipal council meetings: Municipal council sittings are open to the public and should be broadcasted if possible. Their agenda is announced in advance. Citizens can take part in an advisory capacity in work of the committees of the municipal council (Articles 13-14).
- Representation of local communities – the elders: The elders are a representation mechanism of the local communities in which members are nominated by residents and non-governmental organisations. The elders represent the interest of the local population in various local institutions and organises events of the village/town/city. Further, the elders are entitled to access information about the municipal administration and can obtain draft legal actions. They shall provide information to residents on the municipal institutions and administration (Articles 33-35).
- Local population opinion surveys: Local surveys are conducted to enable citizens to express their opinion on municipal affairs. The population may initiate them. Their outcomes are of an advisory character (Articles 36-47).

Citizens' engagement in practice

Despite a rather poorly organised civil society and overall low citizens' participation rates, the government of Lithuania has recognised the strategic importance of civic engagement in law making, policy making and service delivery, and has established multiple mechanisms to support it. These mechanisms differ in their effectiveness and the approach they follow. In addition, the overall transparency or opacity of the decision-making process and the availability of information on participation opportunities further determine or undermine the willingness and ability of citizens to participate (as well as the impact of these initiatives), as experiences of OECD countries show (see Box 3.5 for an example).

Access to information

As discussed, Lithuania has a legal framework in place guaranteeing access to information. A 2010/11 survey carried out by Transparency International shows that 29% of people have used this right at least once in the last two years (Transparency International Lithuania, 2013). According to the same survey, in 45% of the cases the information provided was only partial or unsatisfactory, while 44% of residents believe that the current information that is not released is too large. The Human Rights

Monitoring Institute (2015) further states that public institutions use the regime of exceptions too often to avoid providing information. Similarly, Transparency International Lithuania confirms that in certain cases information can only be obtained by invoking the legal provisions and that sometimes multiple requests have to be submitted to receive a satisfactory answer. In order to support the public's use of this right, Transparency International Lithuania (n.d) developed a leaflet on access to information.

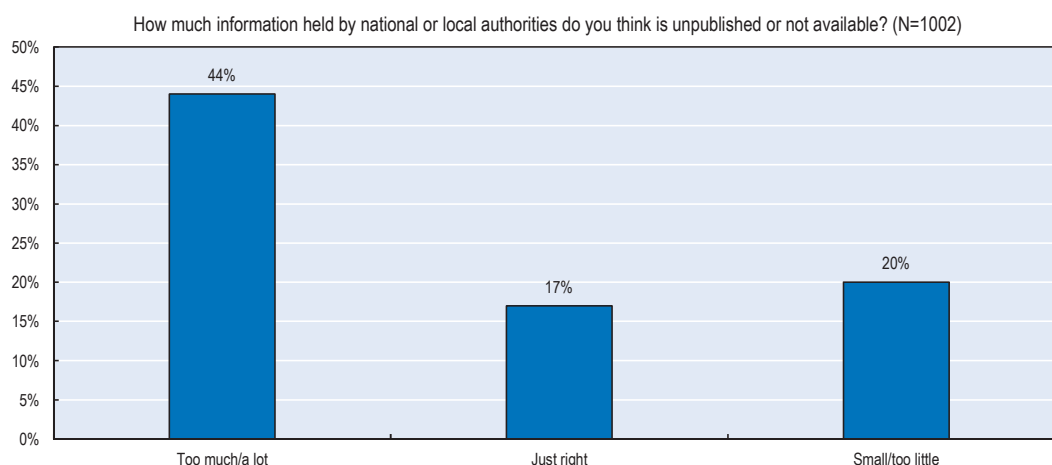
Box 3.5. Parent Know How (United Kingdom)

This award-winning project aims to get parents, particularly young fathers, more involved with the upbringing of their children. Developed between the UK Education Department and Digital Public, a private company, it uses third-sector service providers to develop a range of innovative digital services which provide information, advice and social networking. Services were developed in collaboration with young people and included: online messaging to access relationship support services; an online space to enable fathers to stay in touch with their children; a facilitated social networking space and counselling through Second Life, and a virtual parenting magazine; an interactive parent resource network for younger parents which includes customised services through chosen formats. Mobile phone-based technology combined with direct input from young parents themselves ensures service relevance and increases their ownership of the need to change, particularly fathers.

The technology is a means of building links and networks which provide the support needed to achieve ongoing change. To date, over 1 million parents have been involved and the cost per user interaction has been greatly reduced, compared with traditional services. Adding in user networks has meant that expensive professional services can be targeted where most needed. This is an example of ongoing input to service delivery.

Source: MCA (n.d.), "Parent Know How transforming outcomes for children for the Department of Children, Schools and Families", MCA Innovation Consultancy Case Study, Management Consultancies Association, London, www.mca.org.uk.

Figure 3.3. Access to information in Lithuania: Survey results



Source: Transparency International Lithuania (2013), "Informacijos prieinamumas Lietuvoje" (in Lithuanian), Transparency International Lithuania, http://transparency.lt/media/filer_public/2013/01/22/informacijos_prieinamumas_lietuvoje.pdf.

Since the adoption of the law, ten media organisations have complained to the Seimas Ombudsman about the lack of access to information. Judging these complaints eligible, the Seimas Ombudsman has recently addressed a recommendation to the Ministry of Culture to ensure that the right of journalists to obtain information is properly implemented particularly addressing the issue of receiving information promptly (Seimas Ombudsman, 2014a).

Citizen engagement in major policy documents

Lithuania2030

The importance of open government principles and initiatives is not only reflected in the goals of Lithuania2030 (as discussed previously), but also in the way the document was drafted and later on in the follow-up linked to its implementation. The State Progress Council and the Open Progress Forum are two key platforms established through Lithuania2030, uniting a variety of different stakeholders, including academics and civil society organisations, to ensure an inclusive process for the drafting and implementation of this key strategic document.

The State Progress Council led the development of the strategy. The council, chaired by the Prime Minister, was created by a resolution approved by the Seimas. Its members include representatives from the business, culture, art and science sectors and the government. The council led the drafting process of the strategy: government authorities, business leaders, community groups and prominent public figures participated in its development. Three working groups were set up on smart economy, smart governance and smart society. Through consultations across the country and among Lithuanians living abroad via meetings held in their embassies, the council wanted to involve as large a variety of opinions as possible. The council also went on a road trip to discuss with mayors, municipality representatives, young people and NGOs. Civil society played a crucial and active role in drafting the strategy by engaging in public discussions, participating in the National Day of Ideas across the country, in an idea week in schools and in online consultations. In total, more than 100 discussions fed into the final proposal of the Lithuania2030 strategy. An illustrative example of the creativity of the council is its interaction with elderly people. Since this age group was especially seen not to believe in the strategy, the council reached out to school children, who were trained to interact with the elderly. Another effort consisted of organising a trip to the United Kingdom, where the majority of Lithuanians abroad live, to discuss with the Lithuanian community. The result is a society-based strategy, which received strong support in the parliament.

Nowadays, the State Progress Council is responsible for overseeing the implementation of the strategy. Its composition was adjusted to include 50% civil society members, 20% parliamentary groups and 30% government representatives (State Progress Council, 2012).

The Open Progress Forum plays an important part in the implementation of the strategy. It serves as a forum for continuous dialogue with society on the country's development, bringing together stakeholders from the academic, business and artistic community (State Progress Council, 2012). Regular meetings are organised to discuss various issues addressed in the strategy. These include a forum on local community in 2012, on education in 2013 and on the welfare state in 2013 (Lietuva2030, n.d.).

Programme of the Government

One of the main activities included in the programme of the current government is the promotion of a national public administration and local governments that are oriented towards public needs, are transparent and deserve people's trust. Open government and citizens' engagement are cross-cutting themes in most of the sector policies included in the Programme of the Government (2012), as shown in Table 3.3.

Table 3.3. Citizens' engagement in the Programme of the Government

Sectorial policy	Citizens' engagement reference
Social policy	Promote dialogue among employers, the state and employees and involve trade unions in social policies
Youth	Support youth NGOs and encourage youth to participate in political life
Education	Strengthen state interaction with student associations, rectors, employers, scientists, trade unions, the Lithuanian Academy of Science in key decision-making processes on education
Culture	Involve artists and cultural associations in policy-making processes
Health	Ensure co-operation with the National Health Council, the private sector and NGOs in the implementation of health policy at the national and municipal levels Encourage patient organisations to participate in health policy
Sport	Establish an advisory body for sports policy
Environment	Involve NGOs in decision making on environmental issues
Foreign policy	Encourage the creation of new NGOs and a more active involvement of experts in the policy decision-making process on foreign policy issues
Information and communication technologies	Promote the active participation of people in policy making in providing comments and suggestions online

Source: Seimas of the Republic of Lithuania (2012), Resolution No. XII-51 on the Programme of the Government of the Republic of Lithuania, 13 December, Vilnius, www.lrv.lt/bylos/vyriausybes/16_vyr_%20programa_EN.pdf.

The programme additionally highlights the importance of bringing governance closer to citizens, to develop e-democracy tools, to involve the public and to increase the transparency and openness of the public sector. Equally, the programme recognises the importance of joining efforts with various stakeholders (civil society, media, business sector and religious organisations) in the fight against corruption. Given that more than 600 000 Lithuanians live abroad – a significant part of a total population of 3.6 million Lithuanians worldwide – it is a laudable step that the programme points to the need to involve Lithuanians abroad in state activities. An inter-institutional Action Plan to implement Global Lithuania is foreseen (BNS, 2014). Resolution 1696 (2009) of the Parliamentary Assembly of the Council of Europe calls specifically upon countries to engage their diasporas in domestic politics and to involve them in the political, economic, social and cultural development of their countries of origin (PACE, 2009). Morocco also has a large diaspora, which it tries to involve in national policies through various means as elaborated in Box 3.6. Sierra Leone, for example, involved its diaspora in the consultation process for the OGP Action Plan (Thompson, 2014), an example that Lithuania could consider following.

In addition to the Programme of the Government, various additional reform initiatives recognise the importance of openness, civic engagement and of governance arrangements that are closer to citizens (Table 3.4). This analysis of the various strategic documents of the government shows that open government and citizens' engagement are formally and widely recognised as strategic objectives in Lithuania.

Box 3.6. Virtual consultation of Morocco's diaspora

According to the Ministry of Moroccans Living Abroad and Migration Affairs (MMLAMA), Morocco has a large diaspora community of nearly 3.5 million people, representing over 10% of the national population. The MMLAMA has developed a strategy and action plan to reach out to this population and which includes five strategic areas, one of which focused on communication.

According to the MMLAMA website, to “better target and meet the expectations of CMRE” (*communauté Marocaine résidante à l'étranger*, Moroccans residing abroad), a communication strategy will be implemented with the contents, forms, methods and means that reflect the needs, aspirations and value systems of the CMRE. This strategy has as major objective that of strengthening the ties between Moroccan citizens abroad and their homeland and the provision of *ad hoc* services.”

In this context, the Moroccan Commission on National Dialogue and New Constitutional Prerogatives¹ also launched virtual consultations for civil society organisations of Moroccans residing abroad. This represents an unprecedented opportunity to encourage dialogue with civil society of Moroccans residing abroad on the implementation of the Constitution to promote a strong and fair law-making process, and, ultimately, greater confidence in the Constitution as a blueprint for future legislative reform through inclusive participation.

1. <http://hiwarmadani2013.ma>.

Source: OECD (2015), *Open Government in Morocco*, OECD Public Governance Reviews, OECD Publishing, Paris, forthcoming.

Table 3.4. Open government in Lithuania's strategic framework for public governance

National Progress Programme 2014-2020	Priority 1: Public education, science and culture – Promote citizenship through legal and economic awareness and democratic participation – Priority 5: Progressive public governance in line with public needs: Ensure the openness of public governance processes and encourage society to take an active part in them
Public Governance Improvement Programme 2012-2020	1st programme goal: – Enhance openness of the public governance processes and encourage society to take an active part – Ensure accessibility of public information to society – Encourage the participation of NGOs and local communities
Commission for the Improvement of Public Management	Objective: efficient and transparent public administration oriented towards the needs of society

Source: Government of the Republic of Lithuania (2012), “Public Governance Improvement Programme for 2012-2020”; Seimas of the Republic of Lithuania (2012b), National Progress Programme 2014-2020, Resolution of the Government of the Republic of Lithuania No. 1 482, 11 December, No. 144-7430, www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=439028.

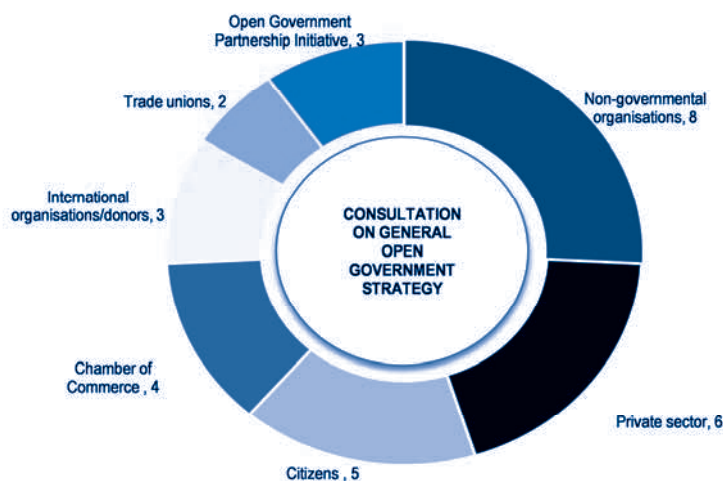
Open Government Partnership

In line with the Programme of the Government, Lithuania's membership in the Open Government Partnership (OGP) is an important opportunity for the country to involve its citizens and civil society to make ambitious reforms. Yet, the consultative process that Lithuania has so far undertaken to draft and implement its OGP action plans could be greatly enhanced. For the 1st OGP Action Plan, the Office of the Government organised several roundtables to define Lithuania's OGP commitments. Civil society organisations such as Transparency International Lithuania presented their recommendations. According to the interviews carried out for this Review, no feedback was provided and

the perception was that they were taken into account to a limited extent only. No civil society representatives or citizens have been involved in the implementation phase. Similarly, for the 2nd Action Plan a working group with different line ministries was created but civil society did not participate in it, despite the fact that extensive consultation is one of the requirements of the OGP.

In the United Kingdom, for example, after a 1st Action Plan, which was equally drafted without meaningful consultation, the NGO Involve was asked by the Cabinet Office, OGP co-ordinator for the United Kingdom, to promote and co-ordinate the participation of civil society in the drafting of the 2nd OGP Action Plan. This decision resulted in a much more inclusive process and in a more ambitious Action Plan. As another example, Figure 3.4 shows various stakeholders that were consulted to elaborate the OGP Action Plan in the different Latin American countries.

Figure 3.4. **Stakeholders consulted to define open government priorities in Latin America**



Source: OECD (2014), *Open Government in Latin America*, OECD Public Governance Reviews, OECD Publishing, Paris, <http://dx.doi.org/10.1787/9789264223639-en>.

Additional formal participation mechanisms

Councils: A permanent dialogue for sector policies

In line with the practice in many OECD countries, a Tripartite Council was established in 1995. Its 15 members represent trade unions, employers' organisations and the government. It is the main platform to discuss economic and social development policies as well as labour relations. The council deals with issues such as employment, occupational safety, illegal labour, taxation and healthcare. It can develop and co-ordinate draft legislation and has the right to conclude collective labour agreements (Lietuvos Respublikos trišalė taryba, 2015).

The Council of Youth Affairs is a consultative body to the Department of Youth Affairs under the Ministry of Social Security and Labour. Half of its members are representatives of state institutions and the other half represent youth organisations, delegated by the Lithuanian Youth Council (LiJOT; Department of Youth Affairs under the Ministry of Social Security and Labour, n.d.). The LiJOT is an umbrella structure

with 64 non-governmental youth organisations representing 200 000 young people. They are the main partner of the state, business and educational institutions (LiJot, 2012). The Council of Youth Affairs advises the Department of Youth Affairs on youth policy. Its advice is not binding. Other examples from different sectors include, for instance, the National Health Board (see Chapter 5).

These consultative arrangements provide additional opportunities to involve relevant stakeholders on a permanent basis and offer important occasions to receive inputs on sector-specific challenges and identify shared solutions. Their effectiveness and impact depend, however, on the ability to transform these councils from a legal obligation into an actual partner in the policy-making process. This would require institutional willingness to take into account their recommendations and advice and transform them into better policies through a fully transparent decision-making process. The government of Lithuania could consider instituting systematic reporting mechanisms on the outcome of these consultations, which could positively influence citizens' motivation to participate in such initiatives and their overall trust in them.

Sector-related consultations

Public consultations are conducted by a variety of ministries and government institutions. The website of the Office of the Government¹ lists some of them. At the time of writing, these included the consultation on the OGP Action Plan as well as consultations conducted by the Ministries of Economy, Energy, Social Security and Labour, Culture, Environment, Interior, Finance and a link to a European Commission consultation (Government of the Republic of Lithuania, n.d.). Yet, every institution seems to apply its own methods and practices: each ministry conducts these consultations independently and without co-ordination across the government, uses its own means to announce them and its own tools to conduct them and report about them, if at all. Currently, no sharing of good practices is in place (Government of the Republic of Lithuania, 2014).

In 2011, 8 consultations were organised by ministries, whereas in 2013 the number increased to 66, according to official information. However, no data is available on the outcomes of these consultations, which, in addition, do not seem to be evaluated. Transparency International Lithuania monitored public consultations at the municipality level in 2014 and came to the conclusion that the practices are not applied systematically (Transparency International Lithuania, 2015). In general, there are no clear common guidelines on public consultation, including on publishing their results and on providing citizens with feedback with regard to their inputs. As Lithuania is a relatively small country, most ministries and other governmental institutions often know the main non-governmental stakeholders, be they CSO representatives or experts, and contact them directly when they require public inputs. This is, however, not the case for smaller organisations and the general public. These informal consultation practices are not unusual in several OECD countries as well but it would be more appropriate to utilise them as additional consultation mechanisms rather than as an alternative to more formal and structured processes.

Participation in the legislative process

Citizens have the possibility to participate in the legislative process and a unified system has been established to facilitate this participation. The 2012 Law on the Legislative Framework recognises transparency and openness as well as public participation as crucial principles of the legislative process (Article 3 and 7). All draft

laws have been systematically published on the website of the Seimas for public comments since 2009 through the legislative information system, a practice which can be observed in many OECD countries. Through this system, citizens can comment on draft laws and institutions have to present arguments why they are not taking into account citizens' comments. Published material includes: legislative initiatives, drafts of legal acts, comparative documents of the drafts of legal acts, information on the consultation process (time, manner, outcomes) and information on monitoring of legal regulations. In 2012, residents submitted electronic proposals on 5% of the drafts of legislative acts.

Some ministries publish draft laws or policies on their own website for public input before they are approved or go to the Seimas, such as the Ministry of Health. Civitas criticises this practice as it makes access to draft legislation more confusing (Civil Society Institute, 2009).

Furthermore, committees of the Seimas hold meetings to discuss draft laws. A variety of stakeholders are invited to participate in these meetings or present their opinions. The meetings are open to the public. The parliament is improving its use of information and communication technologies (ICTs) to foster engagement. The e-Seimas Project² will include several options for citizens to engage with parliament, including online petition submission, e-legislation (registration of public legislative initiatives, commenting of draft laws, evaluation of legal acts), ordering of archival material, e-letter to Seimas and competent user access (Seimas of the Republic of Lithuania, n.d.).

Participation to fight corruption

Even though Lithuania's score on Transparency International's Corruption Perception Index has been improving, with a score of 58/100 in 2014 (100 being the best score), corruption remains a serious challenge in Lithuania (Transparency International, 2014). Lithuania has recognised the problem and set up a variety of tools and institutions to fight corruption. In addition to the previously mentioned institutional initiatives, mechanisms have been created to involve citizens and civil society in the fight against corruption. Transparency International Lithuania has, for instance, been invited to present its ideas and recommendations on the National Anti-Corruption Programme 2015-2025 adopted on 10 March 2015, although they have not received immediate feedback on how their recommendations were included. It was only through the participation in further meetings that it became clear which recommendations were taken into account and why. Other civil society organisations have also established initiatives to fight corruption. These include, for example, "White Gloves" which is an initiative to detect corruption in elections or "Without shadow" which puts in place a website to report illegal trade points of certain goods (e.g. alcohol, tobacco) (Lithuanian Tribune, 2014; Lietuva be šešėlio, 2015). Several NGOs, notably the Human Rights Monitoring Institute, Free Market Institute and Civil Society Institute, have also sporadically been involved in anti-corruption work and formed a Civil Alliance against Corruption in 2005 (Velykis, 2010).

The Special Investigation Service offers multiple gateways for citizens to participate in the fight against corruption. Citizens can report corruption cases in person, via mail, telephone, email, fax or the website. Anonymous reporting is also a possibility (Special Investigation Service of the Republic of Lithuania, n.d.). In 2013, 1 262 complaints were filed, 33% of which were anonymous. In addition, as further discussed in Chapter 5, the agency has co-operated with Transparency International Lithuania and the Ministry of Health on *ad hoc* initiatives in the fight against corruption.

The Chief Official Ethics Commission (COEC) is responsible for overseeing and controlling standards of institutional ethics and conduct, public and private interests in the civil service and lobbying activities. According to information of the COEC, publicity and transparency of civil service activities and adopted decisions is one of the goals of the commission. The commission conducts investigations on persons and heads of institutions holding top positions in the civil service when state or municipal institutions are unable to do it. Its decisions on conflict of interests of the COEC and the local ethics commissions are made public and according to its own information generally attract media attention. In 2013, 116 decisions were adopted regarding the conduct of civil servants. Eighty percent of these investigations were based on complaints of citizens and legal entities, while the others were initiated by the commission based on publicly available information. Most complaints come from colleagues, citizens or entrepreneurs. The commission can also receive anonymous complaints, which amounted to 9% in 2013 (COEC, 2014).

In 2012, in co-operation with the State Tax Authority, the COEC established an electronic declaration system of private interests for public officials. The Law on the Adjustment of Public and Private Interests in the Civil Service (1997) requires that the declarations of “state politicians, judges, chairmen and deputy chairmen of parliamentary political parties, heads and deputy heads of state or municipal institutions, civil servants of political personal confidence who perform the duties of heads of structural divisions of institutions or establishments” are published on the website of the COEC.³ The COEC is responsible for approving the list of positions whose declarations are to be made public⁴. The COEC also publishes information about lobbying, including the lobbyists recorded in the Register of Lobbyists, and citizens can notify the COEC about possible violations of the Law on Lobbying Activities.

Engagement in municipal affairs

Lithuania has 60 municipalities which, according to the law, are required to offer multiple channels for citizens to engage in municipal policy-making processes.

The elder, as a representative of the local community, is elected by the residents upon proposal of local associations or residents. The elder is supposed to represent the community's interest. He/she organises cultural and sport events. There are no formal mechanisms for the elder to engage with residents, evaluating their needs and priorities depends thus on his/her own initiative. The elder can participate in various work of the municipality, such as the council meetings, committee meetings and seats in the local ethics commission. The elders of some municipalities (Vilnius city, Kaunas city, Alytus district, Šilutė district) have created elders' associations. Its webpage⁵ allows citizens to report problems and to contact their elder directly. At the central level, the Ministry of Interior is trying to enhance the role of elders to promote local participation. It has issued a *Guide for Elders* (Seniūnaičių asociacija, 2015).

The Association of Local Authorities is a non-governmental organisation that represents the interest of the 60 municipalities. It was involved both in the development of Lithuania2030 and in the OGP Action Plan. Further, it is a member of the recently established NGO Council. The association fosters exchange among the municipalities, including on civic engagement (ALAL, 2015).

The development of e-democracy tools shall further facilitate access to information and civic participation. The municipality of Vilnius (Box 3.7) has developed various e-democracy tools with the support of the EU Structural Funds.

Box 3.7. E-democracy in the municipality of Vilnius

The municipality of Vilnius has adopted e-democracy tools to enhance access to information and participation in municipality affairs. The website of the municipality offers many documents to be informed about the latest activities, laws and services under discussion as well as opportunities for citizens to express their views. The information and participation mechanisms, include among others:

- The agenda of the council's committee meetings
- videos of the council's meetings
- service surveys
- e-petition
- draft legislation
- consultations
- urban problems
- information about the municipality (i.e. council members, budget, strategic plan, activities)
- possibilities to contact the municipality.

According to the municipality, citizens can comment on draft laws and voice their opinion on the budget. The service surveys offer citizens the possibility to express their views on public services. The poll includes questions on the development of public services, such as which lighting to use to illuminate one of Vilnius's bridges (ca. 5 000 respondents), the start time of high school (16 000 respondents), on the bicycle path development plan (1 600 respondents) as well as evaluation of public services. Further, citizens have the possibility to register problems that they encounter in the city. These could be linked to street maintenance, traffic lights, noise prevention etc. They can follow if their problem has been registered or closed and which is the responsible agency (Vilnius, 2015c).

Sources: Vilnius (2015a), "Apklauso", Vilnius City Municipality Administration, Municipality Budget Office, www.vilnius.lt/lit/Apklausos/1350; Vilnius (2015b), "E-demokratija", Vilnius City Municipality Administration, Municipality Budget Office, www.vilnius.lt/lit/E_demokratija/8; Vilnius (2015c), "Miestoproblemos", Vilnius City Municipality Administration, Municipality Budget Office, www.vilnius.lt/lit/Miestoproblemos/29 (all accessed 11 May 2015).

However, statistics collected by the Lithuanian government show that only 34% of the population has received information on the activities of municipalities and other local authorities, while in 2013 only 17% expressed an opinion on local affairs on issues of high importance. According to residents, the best ways to express their opinion are through online surveys (e.g. on the website of the municipality), by voting in a meeting, by signing on the survey participant sheet or through a selective survey at home.

Transparency International Lithuania conducted a study in 2014 on transparency in the municipalities. The study found that none of the municipalities publish information about their meetings with interest groups, only Birštonas district municipality publishes declarations of public and private interests and that one-fifth of municipalities publish information on how citizens can get involved. The research analyses the information published by municipalities and attributes scores accordingly (Transparency International Lithuania, 2015). On an interactive website,⁶ both citizens and municipalities can explore

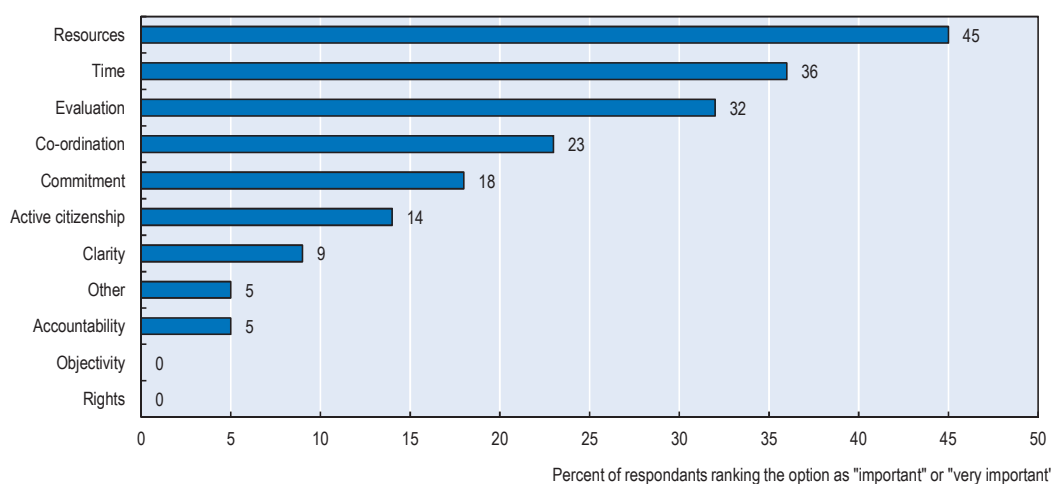
the results and scores in categories such as information about employees, anti-corruption, on council meetings, etc.

Towards a strategic and coherent approach to open government and citizens' engagement

The rapid growth of OGP membership, from 8 countries in 2011 to 65 in 2015, shows the worldwide commitment to adopt open government practices and involve citizens as partners in the policy-making process to jointly identify solutions to current challenges and build trust in government. OECD countries have been exploring effective, open and inclusive policy-making processes for more than two decades. Lithuania has equally embarked on this process and has enshrined the strategic importance of open government and citizens' participation in its key policy and legal instruments and, as a result, multiple engagement initiatives exist. Yet, a more strategic and coherent approach to open government and citizens' engagement is needed to involve a wider public and range of stakeholders within the public administration in order to increase the positive impact of open government policies and practices on the socio-economic development of Lithuania.

As introduced in the previous chapter, the OECD Principles on Open and Inclusive Policy Making stress the importance of co-ordination, accountability and evaluation. Even though the Ministry of the Interior keeps statistics on the amount of public consultations conducted, no information is available on their content, outcome and impact. In addition, every consultation follows its own mechanism. This makes it not only more complicated for citizens to engage, but also for the government to know the value-added and outcome of the consultations conducted. As Figure 3.5 shows, many OECD countries consider co-ordination and evaluation as principles that are challenging to achieve.

Figure 3.5. Open and inclusive policy-making principles which are most difficult to meet



Source: OECD (2009), *Focus on Citizens: Public Engagement for Better Policy and Services*, OECD Studies on Public Engagement, OECD Publishing, Paris, <http://dx.doi.org/10.1787/9789264048874-en>.

Co-ordination

The government of Lithuania is currently developing an e-democracy initiative. The aim is to build a portal where civil society organisations or any public person can enter

their comments, launch a petition, submit a complaint or take part in a consultation. The vision is that participation would be transparently managed and users would receive feedback on their proposals. While many digital services for citizens and business entities exist, e.g. on www.epaslaugos.lt/portal (see Chapter 4), the e-democracy project seems to be still in a very early stage. If this initiative unites all existing e-participation options it could be a good opportunity to create a coherent system as the use of the Internet to interact with the government is fairly high. However, as the initiative refers only to engagement mechanisms that occur through e-tools, further efforts are needed to co-ordinate offline initiatives.

Systematic citizens' engagement

In order to overcome the previously mentioned distrust of citizens in the impact of their participation in policy processes and to engage a larger group of citizens in the policy-making process, it is important to establish clear guidelines for citizens' participation and to communicate outcomes and success stories more widely to increase confidence in them. Elaborating a methodology for citizens' engagement is one of the commitments of the 1st and 2nd OGP Action Plans. The elaboration and implementation of a structured, systematic and transparent mechanism for citizens' engagement would foster the involvement of a larger share of the population. Several OECD countries have developed guidelines that could inspire Lithuania (see Box 3.8 for an example from the United Kingdom).

Box 3.8. UK Code of Practice on Consultation

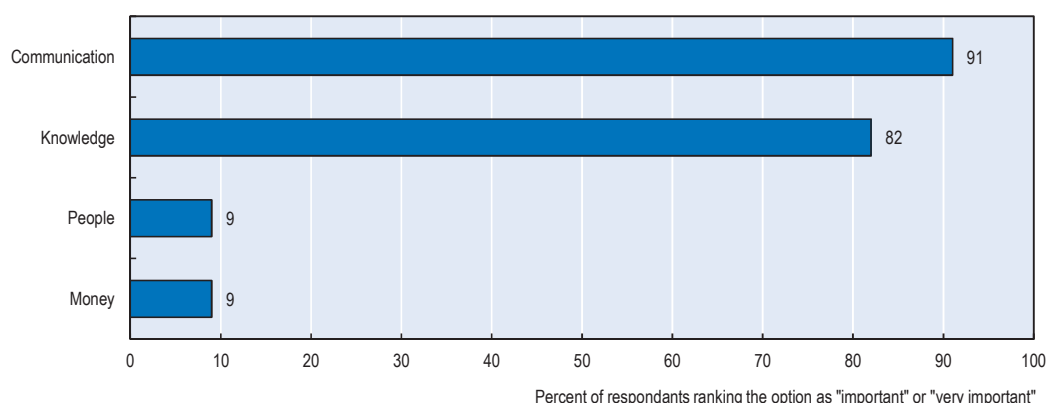
1. When to consult: Formal consultation should take place at a stage when there is scope to influence the policy outcome.
2. Duration of consultation exercises: Consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible.
3. Clarity of scope and impact: Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals.
4. Accessibility of consultation exercises: Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach.
5. The burden of consultation: Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained.
6. Responsiveness of consultation exercises: Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation.
7. Capacity to consult: Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learnt from the experience.

Source: HM Government (2008), "Code of practice on consultation", Crown copyright, London, www.gov.uk/government/uploads/system/uploads/attachment_data/file/100807/file47158.pdf.

Communication

Currently, the legal framework in Lithuania foresees many opportunities for citizens to participate in the policy-making cycle at the national and local levels. Legal obligations foster compliance and the number of consultations held, but do not ensure that public officials understand the strategic importance and value-added of engaging citizens and actually make proper use of the inputs received, hence drastically reducing their potential impact. Investing in the capacities of public officials to process the information received during the consultations and to report government decisions back to the people involved is important to close the feedback loop and give citizens the sense that their time and efforts are considered and meaningful. Investing in communication and capacities (i.e. guidelines and tools for open government and training opportunities for civil servants) is essential to promote open government and effective citizens' engagement. As Figure 3.6 shows, OECD countries give greatest importance to communication and knowledge to enhance open and inclusive policy making.

Figure 3.6. Resources devoted to promote open and inclusive policy making



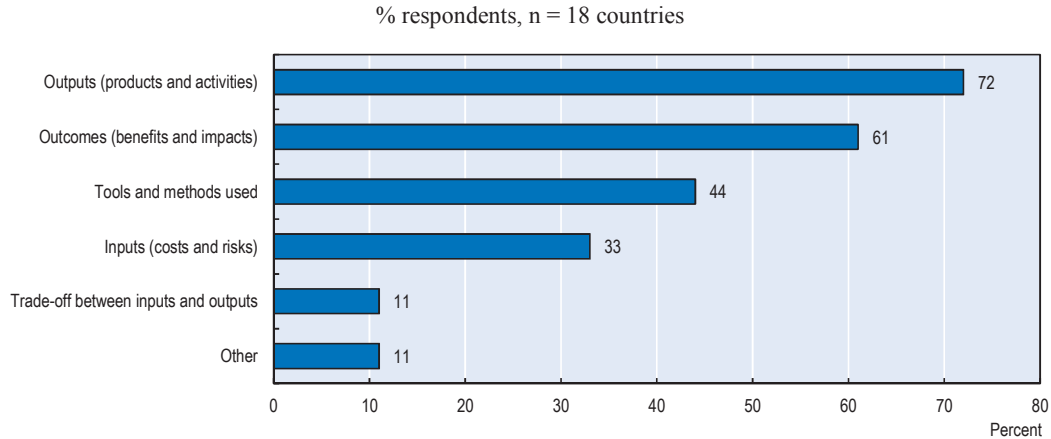
Source: OECD (2009), *Focus on Citizens: Public Engagement for Better Policy and Services*, OECD Studies on Public Engagement, OECD Publishing, Paris, <http://dx.doi.org/10.1787/9789264048874-en>.

As it is the case with citizens' engagement, the successful communication of the importance of open government would be greatly enhanced if it were built on measured impact and clearly identified value-added. Accordingly, Lithuania could take advantage of its detailed strategic planning system, which records inputs and outputs, to measure impact and communicate success stories more widely and effectively.

Evaluation

The government should consider investing in its capacities to evaluate engagement mechanisms. OECD countries recognise the importance of this aspect and evaluate the numerous factors that constitute the key aspects of the consultation process, from methods to impact (Figure 3.7).

Adopting an evaluation approach will support the government to adapt its approach and mechanisms based on impact achieved, while citizens will be aware of the influence they can have. There are several examples of good practices abroad (Box 3.9), but also in Lithuania that can serve as an inspiration. These should be shared widely among the public administration to enhance learning.

Figure 3.7. **Factors evaluated in open and inclusive policy making**

Source: OECD (2009), *Focus on Citizens: Public Engagement for Better Policy and Services*, OECD Studies on Public Engagement, OECD Publishing, Paris, <http://dx.doi.org/10.1787/9789264048874-en>.

Box 3.9. Guidelines on Regulatory Consultation

Below is an extract of the Guidelines on Regulatory Consultation focusing on evaluation methods:

- Is there a monitoring mechanism in place to evaluate the quality of the consultation process and outcomes of the consultation?
- When developing a monitoring mechanism, have the following questions been addressed:
 - Does the monitoring process include a tracking document that reports when/how stakeholders' comments are taken into account?
 - Is there a mechanism in place that makes sure to adequately use the input received?
 - Is feedback provided to the stakeholders?
 - When issuing the final regulation, have policy makers indicated whether or not they agree with the comments received?
 - Is the protection of confidential information and personal data received from stakeholders during consultation guaranteed?
 - How many stakeholders have been reached?
 - Have the tools and methods to reach out to stakeholders been appropriate?
 - Was there an equal opportunity for all stakeholders to take part, and was the process easily understood by stakeholders?
 - Was the timetable respected?
 - How much time and resources have been spent; did the costs exceed the initial expectations?

Source: OECD (2012), "Regulatory consultation: A MENA-OECD practitioners' guide for engaging stakeholders in the rule-making process", OECD, Paris.

Recommendations

Based on the analysis of current citizens' engagement practices and future opportunities as presented in this chapter, the following recommendations can be formulated:

- Elaborate a common methodology for citizens' engagement to be used by as many institutions as possible, both at central and local levels. The methodology can build on good practices from OECD countries and on the OECD Guiding Principles on Open and Inclusive Policy Making. An explicit focus on the inclusion of minorities would increase the comprehensiveness of the initiatives implemented, as well as the representativeness of the results obtained.
- The methodology should be accompanied by a toolkit. Giving hands-on advice and guidance for policy makers on how to implement the above-mentioned methodology will help public officials to better understand its practical implications and will maximise the success rate of consultation initiatives.
- Systematically report the outcomes of consultation processes back to citizens and evaluate their impact. The lack of information on the use that public officials make of citizens' inputs directly affects the latter's willingness to take part in future, similar activities. Moreover, without proper evaluation of the impact of current citizens' engagement practices, it is impossible for Lithuania to improve their quality, effectiveness and contribution to the whole policy cycle. The existing e-democracy initiative could be an opportunity to centrally publish all relevant information.
- Develop a strategy to disseminate open government principles and initiatives more widely within the public sector. This strategy should build on success stories that show the value of citizens' engagement in all phases of the policy cycle (identification of policy priorities, policy drafting, implementation, monitoring and evaluation) and the impact of open government practices on the quality and responsiveness of the services delivered.
- Promote a culture of civic engagement through a communication strategy and *ad hoc* campaigns that invite citizens to participate. The experiences of Lithuania2030 can serve as inspiration. Similar initiatives, coupled with specific training, should be provided to public sector officials in order to increase their willingness and capacity to endorse open government principles and implement consultation practices.
- Support the development of Lithuania's third sector through capacity building and collaboration with the activities of the newly established NGO Council. Increase the possibilities of engaging with NGOs in the co-design and co-delivery of public services, also through the provision of greater funding opportunities.

Notes

1. www.lrv.lt/lt/veikla/viesosios-konsultacijos.
2. <http://lrs.lt/investiciniai/e-seimas>.
3. www.vtek.lt.
4. For an in-depth review of asset declarations in Lithuania see OECD (2011b).
5. www.seniunaiciai.lt.
6. www.jurgiokepure.lt.

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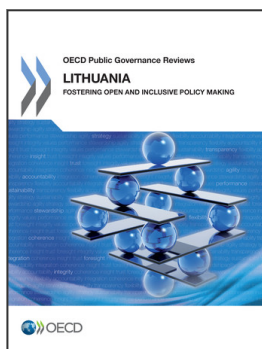
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