



Call for inputs by the Office of the High Commissioner for Human Rights, February 2018:

Submission by International Institute for Democracy and Electoral Assistance (International IDEA), inter-governmental organization mandated to advance sustainable democracy worldwide. Information to be taken into account during informal consultations in the preparation of the draft guidelines on the effective implementation of the [right to participate in public affairs](#).

We are pleased to submit the following points for consideration in the informal consultation process for the development of draft guidelines for effective implementation of the right to participate in public affairs. This submission is based on relevant findings, conclusions and recommendations contained in The Global State of Democracy – Exploring Democracy’s Resilience, a report issued by International IDEA in November 2017 (GSOD 2017 report).

Introduction

1. International IDEA understands **democracy** as ‘popular control over decision-makers and political equality of those who exercise that control’. Hence, democracy is understood in broader terms than just free elections. It is a concept with multiple dimensions, including civil and political rights, social and economic rights, democratic governance and rule of law.
2. This concept of democracy reflects a core value enshrined in article 21 of the Universal Declaration of Human Rights that the ‘will of the people’ is the basis for the legitimacy and authority of sovereign states. It incorporates a common and universal desire for peace, security and justice. Democracy reflects the fundamental ethical bases of human equality and the dignity of persons and is thus inseparable from human rights.
3. The right to participate in public affairs is enshrined in the International Covenant on Civil and Political Rights, its Article 25, the Human Rights Committee’s General Comment on Article 25, and other universal, basic sources. This right contributes to the realization of central democratic tenets of popular control and political equality. The translation of the right to participate into a country’s institutional arrangements and practices should be **mediated by the key mediating values of** representation, responsiveness, accountability, authorisation, transparency, solidarity and inclusion.
4. The interaction between these mediating values and the operationalization of the right of participation in a country’s institutional arrangements should result, for example, in securing inclusive political participation. National laws must enable the participation of all groups in society, including women, minorities, socially, economically, culturally and other disadvantaged groups in public affairs. Furthermore, **inclusive political participation requires active citizenship. Both remain vital goals** and components of conflict prevention, peacebuilding efforts, respect for the rule of law and sustainable development.

Measuring democracy and participation

5. International IDEA’s broad understanding of democracy is measured in the [GSoD 2017 Indices](#) based on five dimensions or ‘attributes’ of democracy: representative government, fundamental rights, checks on government, impartial administration and **participatory engagement** (see figure 1). The right to participation in public affairs is a critical enabler for all five dimensions.
6. The GSoD 2017 Indices look at these five dimensions of democracy on a global level and from a long-term perspective (1975-2015). Contrary to negative views of democracy in decline, the GSoD Indices show that while there is much room for improvement, democracy overall has made considerable progress over the last 40 years. Four out of the five keys attributes of democracy (**representative government, fundamental rights, checks on government and participatory engagement**) have seen **progress since 1975. The only exception being impartial administration**, which has remained the same as in 1975. Overall, levels of democracy reached a global historical high in the mid-1990s and have since stabilized.

Figure 1: A conceptual framework of democracy



7. Nevertheless, many regions and countries have recently seen reversals or declines in the quality of their democracies. The GSoD Indices data suggest that since 2002 there are upturns and downturns within certain regions and individual countries; it is not yet possible to see clear and visible tendencies of progress or decline in this period. This means that current challenges to democracy need to be taken seriously. Democracy cannot be taken for granted and requires global action to be safeguarded, by following the actions and recommendations in line with the United Nation’s Sustainable Development Goal 16.
8. For example, in cases of modern democratic backsliding, where leaders with authoritarian tendencies increase their political power by manipulating the instruments of democracy (as recently seen in countries such as Venezuela, Hungary, India, and Poland), people’s attitudes towards democracy are not weakened. Public opinion data show that citizens’ views and value of democracy is strengthened in the face of such threats. Citizens are no longer willing to accept a façade of democracy. They want complex and global challenges such as rising socio-economic inequality, the exclusion of marginalized groups, particularly women, youth and migrants to be tackled and addressed by their representatives, while taking into account their own inputs, through new forms of representation and participation. They want a say in public affairs and political decision-making.

Democracy and participatory engagement

9. The GSoD 2017 report shows that opportunities for (and the realization of) **participatory engagement** have generally gained ground, as reflected in each of the four subdimensions of citizen involvement:
 - a. A global increase in civil society actors’ ability to participate reflects the fact that restrictions on the rights of civil society to organize have been lifted. Autonomous groups now generally have better working conditions than before, although some countries still uphold (or even increase) restrictions on civil society organizations.
 - b. A global increase in **electoral participation** in national elections mainly reflects the replacement of non-electoral regimes with electoral regimes. At the same, a decline in electoral turnout rates has taken place in several countries with longer traditions of regular, competitive elections.

- c. There has been a slight increase in the availability and use of mechanisms of **direct democracy**. However, they are not implemented fully in any region.
 - d. Opportunities to participate in free and fair **subnational elections** have increased substantially, but levels vary between regions.
10. Beyond these four subdimensions many ways exist through which states can effectively operationalize and protect the right to participation in public decision making. For example, the delegation of power from citizens to elected representatives has been one of the most powerful principles of organizing democratic societies. Political parties emerged to facilitate this delegation in order to cluster individuals around political ideas. Today notwithstanding, **citizens are demanding new ways of exerting such delegation and on clustered political views, including more controls, more accountability and more meaningful participation beyond elections to influence how political views create policies and politics.**
 11. Beyond political parties and parliaments, they also demand a more influential voice in the decision-making of authorities, especially at the local level. As the world grows more urbanized, many cities are facing the challenge of incorporating their citizens into the decision-making process through different methods and tools. Yet, at the same time, technology has opened the possibilities for a closer relationship between authorities, political actors and citizens in a democratic setting. Technology allows for a longer, more sustainable, more detailed and deeper interaction among different actors, providing a vehicle for a more meaningful and effective participation.
 12. Pressure to accommodate the increasing participation and changing demands of citizens, as well as a backlash against the perceived distance between citizens and professional politicians, is creating space for some systemic changes in many countries. Traditional political forces are facing difficulties to maintain their prevailing position as new forces are carving out space for themselves with new agendas, diverse techniques and discourses that one way or another promise greater representation and more meaningful participation.
 13. Moreover, political engagement and participation has become, as society in general, more fluid. Identities and political ideals are less rigid and mutate fast, they became more compartmentalized and less linked to ideological paradigms. Participation is also related to debates about inequalities and inclusion. For example, while the percentage of women in national parliaments has increased from 11 per cent in 1995 to 23 per cent in 2017 worldwide, this has not necessarily translated into improvement in the human rights of women, especially those from minority groups (UN 2015; IPU n.d.).
 14. In this context, the upcoming draft guidelines are a welcome and important initiative to support these developments, and to ensure that participatory engagement in public affairs remains grounded in human rights and democratic principles.

Recommendations for the draft guidelines

15. It is important for the draft guidelines to emphasise that the right to participate in public affairs is a critical enabling factor for creating inclusive, accountable and representative political systems. Citizen engagement and participation in public affairs are critical to democracy's resilience and safeguarding popular control of governance and political equality in the exercise of that control.
16. The draft guidelines should emphasize that vibrant democracy requires active citizen participation—during and between elections—as well as the intermediary organizations that advance their interests, both national representative institutions and, increasingly, alternative on- and offline movements and platforms, created by active citizens representatives in exercise of their fundamental rights.
17. The draft guidelines can add further value by providing states with practical guidance on legal and policy instruments, frameworks, and practices at different levels, that provide for meaningful and effective participation in public affairs. This includes, but is not limited to, the following areas:
 - a. Guidance on involving politically engaged citizens in different phases and levels of political agenda setting and decision-making

- b. Good practices and practical ways in which governments can safeguard and strengthen citizens' rights to mobilize, protest, assemble and associate, blog and resist, including by judicial authorities charged with ensuring that rights defined in constitutions, charters and manifestos are defended in practice.
- c. Suggestions for empowering citizens to claim and protect their right to participation, including through open information, freedom of expression, freedom of assembly and the ability to organize peacefully.
- d. Suggestions for policies and good practices that representative institutions can use to innovate, adapt and integrate new assertive forms of citizen influence and political participation mechanisms in different contexts.
- e. Guidance on providing responsiveness to the widest plurality of groups in societies and upholding the highest standards of integrity
- f. Guidance on how to increase the number of women politicians and representatives through positive action to realize equality in the exercise right of participation in public affairs: women need to hold an equal share of seats in parliaments and cabinets.
- g. Ways in which states can ensure the protection of minority rights and advance the position and participation of marginalized groups in public affairs.
- h. Guidance on how technology can give citizens the ability to voice their views to a broad audience and can positively influence politics and democracy in evolving and distinct ways.
- i. Guidance on reducing underlying structural causes and risks that can limit participation in public affairs, particularly ethnic diversity and gender- and class-based inequalities.
- j. Knowledge on how legislation and policies in this area can better anticipate future values and how democratic values and human right elements can be protected.

Annex / Preliminary List of Knowledge Resources

Below follows a selection of relevant International IDEA knowledge resources. For a complete overview of our data, tools and publications please visit our website (www.idea.int):

Constitution Building

Direct Democracy, International IDEA Constitution-Building Primer 3 <https://www.constitutionnet.org/vl/item/direct-democracy>

Local Democracy, International IDEA Constitution Building Primer 13 <https://www.constitutionnet.org/vl/item/local-democracy>

Gender and Women in Politics:

Women in Parliament <https://www.idea.int/publications/catalogue/women-parliament-beyond-numbers-revised-edition?lang=en>

Designing for Equality <https://www.idea.int/publications/catalogue/designing-equality-best-fit-medium-fit-and-non-favourable-combinations?lang=en>

Quotas series <https://www.idea.int/publications/catalogue/implementation-quotas-african-experiences?lang=en>

Atlas of Electoral Gender Quotas <https://www.idea.int/publications/catalogue/atlas-electoral-gender-quotas?lang=en>

Marginalized Groups and Constitution Building <https://www.idea.int/publications/catalogue/marginalized-groups-and-constitution-building?lang=en>

Election coverage from a Gender Perspective: A media Monitoring Manual <https://www.idea.int/publications/catalogue/election-coverage-gender-perspective-media-monitoring-manual?lang=en>

From Words to Action: Best Practices for Women's Participation in Latin American Political Parties <https://www.idea.int/publications/catalogue/del-dicho-al-hecho-manual-de-buenas-practicas-para-la-participacion-de?lang=en>

Journeys from Exclusion to Inclusion <https://www.idea.int/publications/catalogue/journeys-exclusion-inclusion-marginalized-womens-successes-overcoming?lang=en>

[Interactive Overview of Combinations of Electoral Systems & Quota Types](#)

Marginalized groups

Overcoming Political Exclusion <https://www.idea.int/publications/catalogue/overcoming-political-exclusion-strategies-marginalized-groups?lang=en>

Marginalized Groups and Constitution Building, <https://www.idea.int/publications/catalogue/marginalized-groups-and-constitution-building?lang=en>

Youth

Increasing youth participation throughout the electoral cycle: entry points for electoral management bodies <https://www.idea.int/publications/catalogue/increasing-youth-participation-throughout-electoral-cycle-entry-points?lang=en>

Youth participation in electoral processes: new roles for African electoral management bodies <https://www.idea.int/publications/catalogue/youth-participation-electoral-processes-new-roles-african-electoral?lang=en>

Addressing Youth Absenteeism in European countries <https://www.idea.int/publications/catalogue/addressing-youth-absenteeism-european-countries?lang=en>

Youth Voter Participation: Involving Today's Young in Tomorrow's Democracy <https://www.idea.int/publications/catalogue/youth-voter-participation-involving-todays-young-tomorrows-democracy?lang=en>

Intergenerational Dialogue for Democracy <https://www.idea.int/publications/catalogue/intergenerational-dialogue-democracy?lang=en>

[Youth Democracy Academy](#)

Political Parties

Political Parties and Citizen Movements in Asia and Europe <https://www.idea.int/publications/catalogue/political-parties-and-citizen-movements-asia-and-europe?lang=en>

Inclusive Political Participation and Representation: The Role of Regional Organizations <https://www.idea.int/publications/catalogue/inclusive-political-participation-and-representation-role-regional?lang=en>

Participación electoral indígena y cuota nativa en el Perú : aportes para el debate <https://www.idea.int/publications/catalogue/participacion-electoral-indigena-y-cuota-nativa-en-el-peru?lang=es>

[Digital Parties Portal](#)

Political Finance

[Women's Access to Political Finance: Insights from Colombia, Kenya, and Tunisia.](#)

[Political Finance and the Equal Participation of Women in Colombia: A Situation Analysis](#)

Indices

[Global State of Democracy Indices](#)

Databases

[Direct Democracy Database](#)

[Electoral Justice Database](#)

[Political Finance Database](#)

[State of Democracy Assessments](#)

[Electoral Management Design Database](#)

[ICTs in Elections Database](#)

[Electoral Risk Management Tool](#)

[Electoral System Design Database](#)

[Gender Quotas Database](#)

[Voter Turnout Database](#)

[Voting from Abroad Database](#)