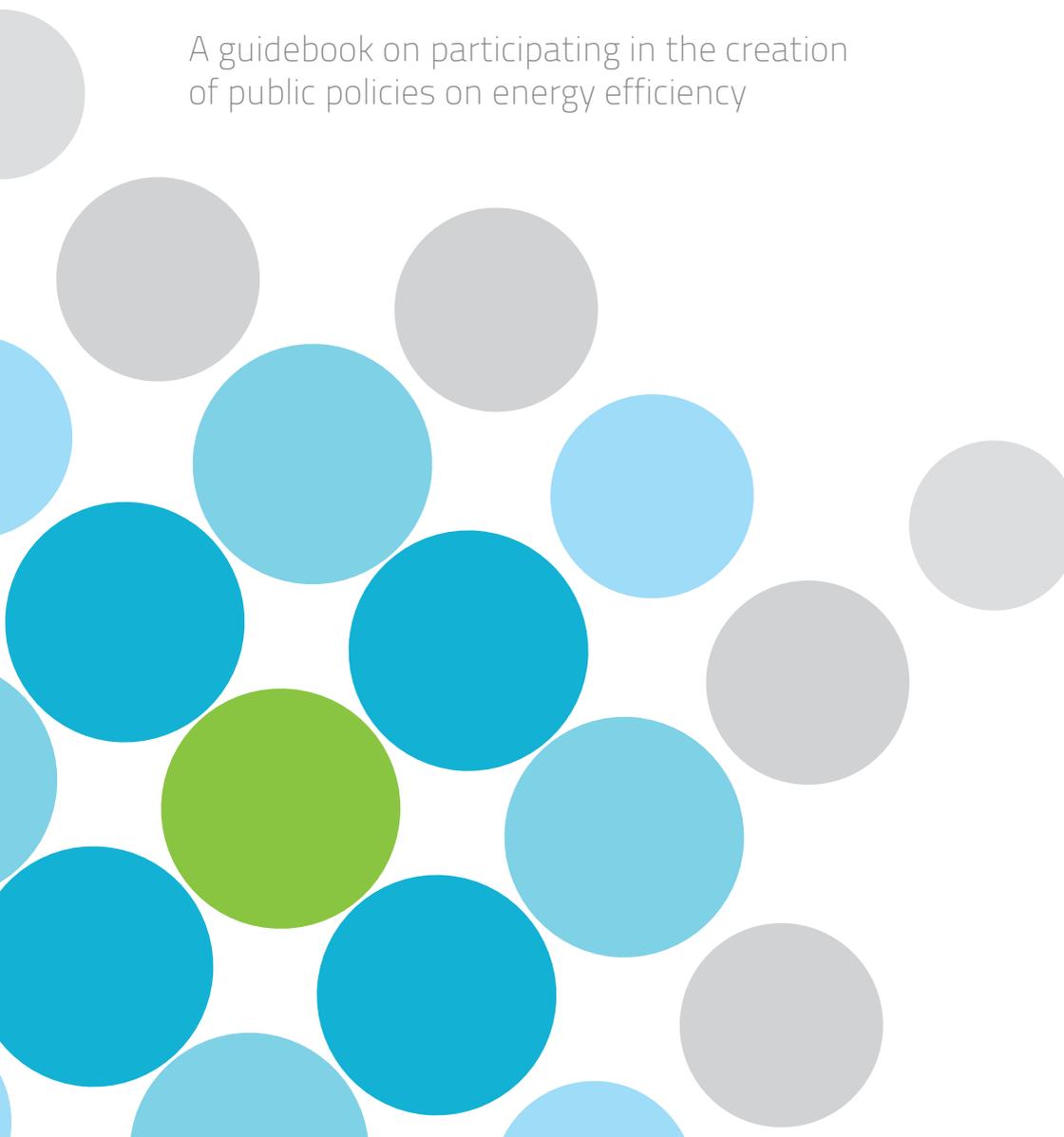


How to Participate Efficiently?

A guidebook on participating in the creation
of public policies on energy efficiency



Impressum

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1. Introduction

Energy efficiency public policies have not so far been the topic of wider dialogue of all concerned citizens. The discussions on this topic have mostly been limited to a narrow circle of national and European institutions, experts and a small number of interested civil society organizations (CSOs).

This guide is a concise overview of ideas, recommendations and experiences of CSOs from South East Europe region dealing with energy efficiency public policies. It is also an overview of methods through which certain results have been achieved. It consists of a number of advices on how to encourage and organize public dialogue, accompanied by specific examples. In order to be clear and distinct, it is divided into chapters aiming at state authorities, local authorities and civil society organizations. Nevertheless, the authors would like to advise the representatives of each of the target groups to read the recommendations for other target groups because the ability to understand the perspective of others is a prerequisite of a civilized, constructive and creative dialogue among the stakeholders, representing one of the foundations of a democratic and participatory society.

1.1. Why is it necessary to include the public?

The civil society represents the space between family, state and market in which the citizens conjoin in order to articulate and promote common interests. Civil society organizations (CSOs), characterized by the non-profit status and the independence from the government, include associations, unions, foundations and religious organizations.

One of the basic characteristics of modern democracies is a developed civil society. The active role of citizens on one hand, and openness and transparency of public institutions on the other, lead to open dialogue, cooperation and partnership. Sustainability of this cooperation and partnership, and overall societal development, is guaranteed through the respect for human rights and equal participation of women and men, as another important pillar of democracies. Therefore, recognizing the importance of public participation including the participation of particular constituencies such as women, since January 2003, the European Commission has been applying the "*General principles and minimum standards for consultation of interested parties by the Commission*"¹ act. In its summary, they emphasize that "*By establishing a consultation process, the Commission is encouraging the participation*

¹ Towards a reinforced culture of consultation and dialogue – General principles and minimum standards for consultation of interested parties by the Commission - <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:52002DC0704>

of external interested parties in the development of European policies. Starting the consultation at an early stage in the legislative procedure helps to improve the effectiveness of policies whilst reinforcing the involvement of interested parties and the general public." The specific role of CSOs is also defined – "*Civil society organisations act as relays between citizens and the European institutions, thus encouraging policy dialogue and the active participation of citizens in achieving the aims of the European Union.*"

Another important document is *Code of good practice for civil participation in the decision-making process*² which was supported by the Committee of Ministers in a Declaration in which it "*recognises the importance of the Code of Good Practice as a reference document for the Council of Europe, and as a basis for the empowerment of citizens to be involved in conducting public affairs in European countries.*"

National legislations of SEE countries support the mentioned EU strategy and encourage CSOs to be involved in the decision-making processes.

The key purpose of the consultations and including all the stakeholders is to gather information about their interests, opinions and recommendations about a certain public policy, in order to raise the level of understanding and acceptance of the policy goals, but also to anticipate the weaknesses and potential negative impacts of a public policy that need to be eliminated in time.

1.2. Levels of public participation

Public participation can be conducted on five levels:

1. Inform
2. Consult
3. Involve
4. Collaborate
5. Empower

Each of these levels is connected to:

- » certain goals that strive to be accomplished through public participation,
- » cooperation of decision makers with the public and

² *Code of good practice for civil participation in the decision-making process* - http://www.coe.int/t/ngo/code_good_prac_en.asp

- » the methods through which the participation is to be accomplished (table 1).

Collaboration represents a very high and desirable form of public participation, but reaching it does not only depend on the openness and readiness for collaboration of the public authorities, but also on the interest and expert capacities of interested public, as well as on the existence of the developed culture of dialogue and cooperation in the society in general. Therefore, reaching the collaboration level is a responsibility and a challenge for all sides in this process, and an encouragement for a continuous development of capacities, readiness and ability for a constructive dialogue and cooperation.

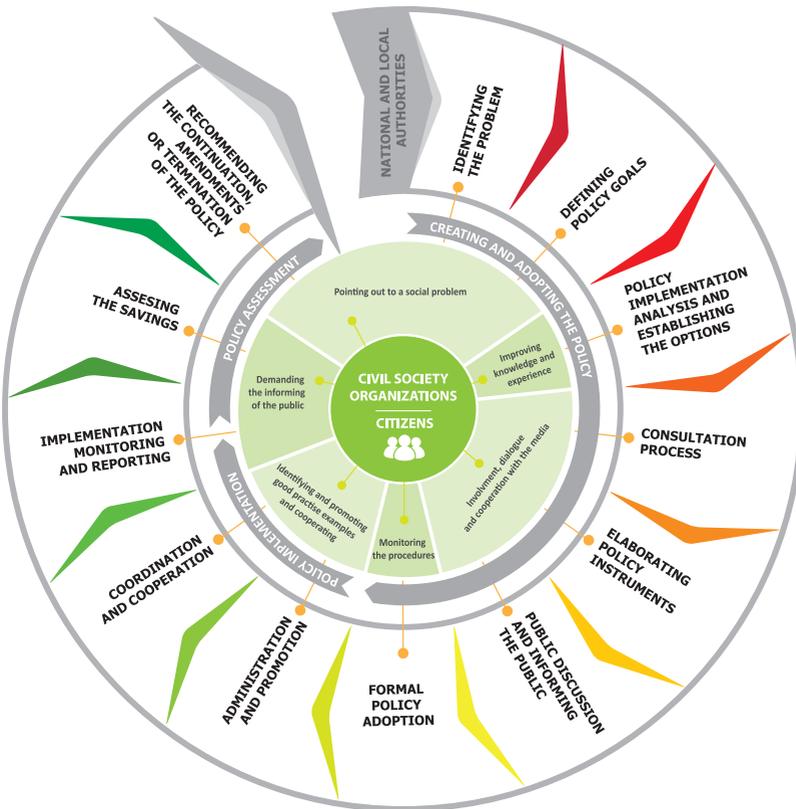
	Inform	Consult	Involve	Collaborate	Empower
Public participation goal	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision-making in the hands of the public.
Promise to the public	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.
Example techniques	Fact sheets, Web sites, Open houses	Public comment, Focus groups, Surveys, Public meetings	Workshops, Deliberative polling	Citizen advisory committees, Consensus-building, Participatory decision-making	Citizen juries, Ballots, Delegated decision

Table 1: Increasing Level of Public Impact (Source: http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/imported/IAP2%20Spectrum_vertical.pdf)

2. Advice and recommendations

2.1. Advice and recommendations for state authorities

State authorities are in charge and responsible for public policies. The ideal process of public policies is a continuous procedure of creating, implementing and monitoring policy impacts, as well as redefining it in cases of its failure to reach the set goals, or if a need for its improvement occurs (picture 1).



Picture 1 The public policies process

Transparency of the procedure and involvement of a wide circle of stakeholders in each of the steps of this process are essential for accepting the policy and making it successful. When taking part in the creation of a public policy, the stakeholders gain a sense of “ownership” over a policy and therefore are more likely to be committed to its implementation.

Here you can find a number of advices aiming at decision-makers working at public authorities on how to improve the procedure of creating a new public policy.

Advice and recommendations for creating and adopting a public policy:

1. Clearly define the reasons for which a public policy is being created:
 - » adapting to the EU Acquis is not good or commonly accepted as the only reason for implementing a new policy – a public policy needs to be created with the public interest and wellbeing in mind. This should be clearly articulated,
 - » communicate the reasons to the public – clearly and on time.
2. Assess your resources (available personnel, finances and time) and competencies required for creating a new public policy:
 - » improve your knowledge on the subject through detailed analysis of the examples from other countries,
 - » if needed, hire external assistants for producing expert analyses,
 - » demand that every analysis contains recommendations which are based on an assessment of several factors with different possible alternatives.
3. Make sure your solutions are based on cooperation with stakeholders involved through given policy:
 - » consult the stakeholders directly or through polls,
 - » form a work group (or several work groups) which will, under your guidance, recommend, analyse and adopt possible solutions through which policy goals are to be accomplished:
 - I. work groups should always include experts from the given field, representatives of the relevant state bodies, but also representatives of civil society, unions and the business sector. Significant advantage would be the inclusion of experts on gender equality and mainstreaming,
 - II. steer the work group discussions and finalize your meetings with consensus.
 - » communicate the solutions to the public while taking care of the different communication needs and adequate communication channels for specific target groups: women, men, youth, elderly, etc.
4. Elaborate each policy instrument in detail, in order to envisage its

implementation as accurately as possible:

- » define which institution is responsible for policy instrument implementation – avoid overlaps of responsible bodies or unclear distribution of responsibilities
 - » estimate the required financial resources and sources of finance,
 - » assess the expected results of the given policy instrument and its contribution to the overall goal,
 - » inform the public about the policy instruments.
5. Ensure a public discussion based on the draft version of the new policy:
- » although it is extremely useful, conducting a public discussion solely via the website of the competent institution is not sufficient,
 - » discuss the proposals of the new policies by participating in public events – respond to the invitations, be ready to answer all the questions and discuss the alternative proposals – it is your obligation,
 - » be a step ahead of the media – don't allow the assumptions about the new policies, use the media to inform the public by issuing clear and concise press releases,
 - » provide a mechanism that allows the articulation of concerns and provide a feedback that explains which concerns of stakeholders or the public have been taken into account; sex disaggregated data should always be collected.
6. Adopt the policy formally and in time.

Advice and recommendations for policy implementation

1. Clearly define which institutions are responsible for implementation, bearing in mind the capacities of each institution.
2. Communicate and cooperate with local and regional authorities, local and regional implementing agencies and other stakeholders directly involved in policy implementation:
 - » notify them about their obligations,
 - » provide them expert support in fulfilling their obligations, e.g. templates for producing programmes and plans, reporting forms etc.

- » require reporting on policy implementation on a regular basis
- 3. Be informed about good practise examples:
 - » adopt successful examples and anticipate their implementation.

Advice and recommendations for monitoring and assessing the policy

1. While a policy measure is still in the making, define the methods to monitor its impact; policy impact monitoring methods should include the gender equality perspective securing consideration of the possible different impact on women and men.
2. While a policy measure is still in the making, estimate the possible impacts of the measurement and compare them to the data obtained through reports on its implementation
3. Commit all the stakeholders responsible for implementation of a certain measure to report on the implementation and its impacts on a regular basis:
 - » notify the stakeholders about their obligations and require reporting on a regular basis,
 - » define the exact data the stakeholders need to report, as well as the format of reporting.

2.2. Advice and recommendations for the local authorities

Within their areas, local authorities perform duties which directly benefit their citizens. In the energy sector, they need to plan the needs and the means of energy supply, create plans and programmes of constructing, maintaining and using energy facilities, as well as create programmes for efficient energy use on the local level. Through enhancing energy efficiency, energy use is decreasing, which has financial impacts. It contributes to environment protection and can have positive influence on local economy.

Local authorities need to enable citizen participation in local public affairs and, regarding the implementation of public policies, need to apply the principles of responsibility, transparency, efficiency and equal representation of men and women. Implementing public policies on a local level can be improved by enhancing vertical and horizontal cooperation and by strengthening the capacity for implementation.

Advice and recommendations for creating and adopting a local programme for efficient energy use

1. Strengthen the institutional capacities:
 - » define and educate the persons in charge, taking care of equal representation of men and women or securing at least 40% representation of the underrepresented sex; same principle should be applied when engaging experts,
 - » ensure the starting funds for developing a programme and preparing the projects for efficient energy use.
2. Strengthen the vertical cooperation with decision-makers about the energy efficiency policy on the national level. At the same time, strengthen the horizontal cooperation among the competent institutions in your area:
 - » coordinate your activities and systematically cooperate with the competent public authority bodies, in order to timely accomplish your assignments, to strategically plan the implementation of the policies adopted on the national level and to join the regional and European projects. At the same time, actively advocate your interests to the decision-makers on the national level,
 - » enhance the coordination among the institutions responsible for the issues of energy policy in your area, as well as the civil society organizations. Form a work group consisting of experts for the issues of energy efficiency and the interested civil society organizations, and name the group coordinator. Through meetings and consultations, the work group shall define the measures, sources of finance and the time frame for the implementation of the adopted policies, and the coordinator shall be responsible for the implementation and timely realization of the measures,
 - » adjust the local implementation of the National action plan to the local community situation.
3. Involve the citizens as partners in creating the programme:
 - » organize the public events, discussions and workshops and involve the citizens in order to determine their needs and capabilities, such as local energy forum, citizen discussions, events during the sustainable energy week, citizen surveys, open city councillor debates; organization of events and the development of promotional materials should be gender sensitive (e.g. application of gender sensitive language in conduct and content, se-

curing of equal representation of women and men (at least 40% of underrepresented sex), avoiding use of normative masculinity – when “he” is used for all persons no matter sex, avoiding use of sex-based stereotypes, etc.),

- » inform the citizens about the advantages of energy efficiency, especially about the possibilities of gaining financial support and the potential savings.
4. Asses the required financial resources, as well as the sources of financing all measures within the new policy:
- » plan and allocate the assets from the local/regional budgets to co-finance the energy efficiency measures for households (thermal insulation, carpentry replacement, installing solar thermal systems, heat pumps etc.), keeping in mind the importance of implementing the measures into other policies (social policy, renewable energy sources, public transport, public procurement, concessions...) and also bearing in mind the available capacities (one successfully implemented measure is better than a dozen measures solely on paper),
 - » plan and prepare projects for the tenders of the national institutions that co-finance the implementation of energy efficiency measures,
 - » plan and prepare projects for the application to EU funds (especially keeping in mind their mutual compatibility, as well as the compatibility with the public policies, in order to maximize the impact).

Advice and recommendations for policy implementation

1. Define which institutions are responsible for implementation of policy instruments; avoid ambiguities and overlapping of responsibilities.
2. Use all the available sources for financing energy efficiency measures:
 - » if needed, use external experts to train your employees to prepare and apply energy efficiency projects to EU funds (including the experts from civil society organizations).
3. Learn from good practise examples of other European cities:
 - » use the good practise examples of other European cities, as well as the possibilities for cooperation and know-how sharing (so-called twin towns, building human capacities through twin-

ning-projects etc.).

4. Ensure a locality or a contact-person for citizens (energy advisors/energy points), which citizens can contact with questions about energy efficiency in households.
5. Try to include local companies in energy efficiency projects, in order to support local entrepreneurship and to raise the standard of living of the local community.

Advice and recommendations for monitoring and assessing the policy

1. Define concrete and measurable indicators for each public policy measure, through which the impact of a measure will be monitored.
2. Monitor planned and accomplished impacts of each measure and in advance define the activities for minimizing/eliminating divergences.
3. Keep in mind the regular reporting to the competent national institutions, and demand the same from the local/regional institutions responsible to you.

2.3. Advice and recommendations for civil society organizations

Civil society organizations (CSOs) are key stakeholders in creating, adopting and implementing public policies, but their influence on public policies is often not as significant as their social impact. CSO representatives should be involved in the work of local, regional and state authority bodies, participate in work groups for developing legal acts or policies in general and be members of board of directors or supervisory boards of public institutions.

As stated earlier in the spectrum of public participation (picture 1), the goal should be to set up a partnership (e.g. with a certain ministry or a local authority). When this participation level is reached, the CSOs and other representatives of interested public cooperate successfully, and the CSOs are guaranteed independence, the right to actively, publicly and critically think and act, as well as to implement advocacy campaigns. The partnership can include the activities such as delegating specific supportive tasks to CSOs or tasks that are complementary to the policy, providing services of public interest, participatory forums and the foundation of bodies for co-deciding, which includes providing certain funding. Partnership can be conducted during any of the stages of political decision-making, but it is of utmost importance during plan-

ning and in implementation stages. The key issues of partnership are trust and power dynamics between the partners.

Civil society organizations should remind other stakeholders of the importance of involving the public in the public policies processes, but also serve as a good practise example of the transparency of procedures.

CSO representatives can find several advices on how to improve the process of public participation and stakeholder involvement, and also how to ensure the transparency of creating a new public policy.

Advice and recommendations for creating and adopting public policies:

1. Define recommendations of new public policies or the necessity for updating existing ones:
 - » in case you consider the area of your concern is not included or well regulated by existing legal acts, i.e. that there is a need to develop or update public strategic documents dealing with this area, send a recommendation to local or national body competent for creating such a strategy, law or regulation; be as precise and articulate as possible
 - » assess your resources (available personnel, finances and time) and competencies required for participating in creating a new public policy:
 - I. show a good practise example by forming a multidisciplinary team and by cooperating with other relevant stakeholders
 - II. in case you have limited resources for participating, use the existing CSO networks or your connections with CSOs active in policy creating to state your recommendations/inputs,
 - » improve your knowledge on the subject through detailed analysis of examples from other countries and through consultations with local experts.
2. Initiate or organize a public debate about the public policy recommendation:
 - » keep in mind the deadlines set for implementing the consultations and be a part of them in time,
 - » organize a meeting with representatives of the institution competent for the recommended public policy:
 - I. in case a public discussion has been foreseen, give your contribution by spreading information and sending invitations for participating in the public discussion

- ii. in case the competent institution does not plan to organize a public discussion:
 - » 1. point out the omission
 - » 2. offer assistance in organizing a public discussion
 - » 3. timely start the initiative for the discussion
 - » 4. in case you are capacitated to do so, take over the organization,
 - » notify the media about the new policy recommendation and about the course of public discussion
 - » gather citizens' comments to the new policy recommendation, systemize them and send them to the competent institution,
 - » publish on your website all the news about the steps and actions you have taken, while keeping in mind that the information/illustrations presented should be gender-sensitive.
- 3. Advocate your recommendations to individuals working on the policy proposal or policy-related issues in ministries, the parliament or other relevant institutions:
 - » through previously established connections with these individuals or
 - » upon identifying relevant individuals.
- 4. Monitor the procedure of adopting a recommended policy:
 - » in case you notice omissions in the procedure or the time of adoption of a recommended policy:
 - i. draw attention of the competent institution to the omission
 - ii. in case the competent institution does not correct the omission, draw attention of the public through the media.

Advice and recommendations for implementing the policy:

- 1. Monitor the implementation of the adopted policies:
 - » by analysing whether the set goals have been accomplished,
 - » by analysing whether the implementing bodies comply to legal acts.
- 2. Draw attention to all the noticed omissions in policy implementation:

- » draw attention of the competent institution to the omission,
 - » in case the competent institution does not correct the omission, draw attention of the public through the media.
3. Communicate and cooperate with local and regional authorities, local and regional implementing agencies and other stakeholders directly involved in policy implementation:
- » notify them about their obligations,
 - » demand regular reporting to the public about the policy implementation,
 - » offer various forms of cooperation and assistance in policy implementation.
4. Be informed about good practise examples and spread information about them.

Advice and recommendations for policy monitoring

1. Monitor the reports about the implementation and impacts of policy measures, and, in case you notice omissions, send enquiries to the competent institutions:
- » point out their obligation to inform the public on a regular basis,
 - » initiate the high-level discussions about policy implementation and monitoring.
2. Be informed about good practise examples:
- » draw attention to national and foreign good practise examples.

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