

Extinction Rebellion Germany, AG BV (Citizens' Assembly Working Group)

Quality criteria for Citizens' Assemblies (state of play 12.04.21)

e.g. on measures against ecological catastrophe and for climate justice as demanded by XR
In the third demand, we at XR make three assumptions about democracy:

- 1) Democracy is for all. (inclusivity)
- 2) In a democracy, power emanates from all people in the community.
- 3) The process of democratic participation must be fair. (deliberation)

In this sense, Citizens' Assemblies - as envisaged by XR - serve to revitalise politics in addition to seeking solutions to ecocide and stopping climate change.

In order for CA's to actually reinvigorate politics, certain criteria must be met. The criteria described here complement each other in such a way that in case of omission or incomplete fulfilment of the criteria, the claim to the results is weakened. The decisions of the participants will then no longer have the necessary weight. If, however, a CA completely fulfils these characteristics, it becomes very difficult for politicians to simply ignore their recommendations.

If the criteria are observed, Citizens' Assemblies become an important democratic instrument of political decision-making with a high degree of legitimacy.

1. Political affiliation

An essential criterion is the recognition of CA's by the constitutional organs of the Federal Republic. This recognition takes place through three measures:

- by convening of CA's by the Bundestag (parliament) or the government.
- by a binding commitment at the time of convening to submit the recommendations of the CA to the Bundestag for consideration.
- through an obligation to a high level of process transparency and an obligation of the CA to explain the discussion process as well as the recommendations to the convening institution and to the public.

The convening of CA's by one of the political bodies sends a clear signal to the public. It shows the importance of the issue, the need for a public discourse and is also a call to the public to get involved in the consultation phase of the CA.

Due to the binding commitment to be discussed in the Bundestag (parliament), the results of CA's are accorded a high potential for effectiveness in advance. This shows the necessary support to CA's and the participants are motivated to come up with well thought-out and balanced solutions. If the other criteria are also met, public opinion will create pressure for recognition, which will lead to a de facto commitment for policy-makers to take the results of CA's seriously. The recommendations of CA's can no longer simply be disregarded by the political bodies without appearing highly untrustworthy.

The third measure enables public participation, creates a high level of acceptance and legitimises the process to the convening institution and the public.

Until the recommendations are implemented, the political affiliation requires a public feedback procedure between the Bundestag and the CA. The aim is to come as close as possible to the original results of the CA. The CA forms a group of delegates, which discusses the implementation concept with the Bundestag in a public discourse. Through this public procedure, both Bundestag and CA, have to explain themselves to the public. The accountability of the Bundestag (parliament) for the final legislation on the implementation of the results of the CA remains unaffected.

For the integration of a Citizens' Assembly into the democratic processes of the Federal Republic of Germany, the recognition of its status as an instrument of political decision-making and the recognition of the CA's decisions by a binding commitment to deal with the recommendations, a convocation by the Bundestag (parliament) or the government is inevitable.

A long-term political integration of the instrument of CA's into the legislature would consist in

- clear rules on convening and bindingness
- in combination with elements of direct democracy
- in the inclusion of CA's as an organ in the Grundgesetz (Basic Law of the Federal Republic of Germany)
- or in a separate right of initiative of CA's for submission to the Bundestag
- etc.

2. Publicity (visibility, transparency, traceability)

In a democracy, all power emanates from the people. That is why CA's are embedded in public. On the one hand, people must experience the BR procedure as fair, on the other hand, public discourse plays a major role in the formation of political will. The information, the different perspectives on the subjects and the documentation of the participants' discussions trigger public discourse. For the citizens, additional moderated digital forums or face-to-face events are offered in which discussions take place according to fair rules. The results of these forums can be included in the consultation process (see below).

The public should be able to follow the process and also participate in the public discourse. All processes, deliberations, justifications and decisions of the CA, as well as those of the organising bodies/institutes, must be publicly comprehensible. Documentation and sufficient coverage in public-service broadcasting (and other media) at prime time.

Transparency is created, for example, through live broadcasts of non-anonymous deliberations in the media, media libraries, through the publication of information material, reports and the **publication** of the Citizen's Panel. In order for everybody to be able to understand the rationale behind the decisions of the committees and the CA, the informations must be made available to the public, well prepared and written in understandable language.

If the public is to be restricted from certain parts of the process, the decision must be justified in a comprehensible manner.

For the public discourse, the entire process, the information and the consultation of the participants must be publicly comprehensible and transparent. Public discourse is actively promoted.

3. Protected framework for the participants of Citizens' Assemblies

Participants must be free from public pressure or repression, free from direct influence and without constant personal pressure to justify themselves, in order to reach balanced decisions in the interest of the common good. Transparency and traceability can be achieved, for example, through anonymised transcripts of discussions, anonymised voice-modulated podcasts, time-delayed publication of the minutes, accompanying studies and the like.

4. Independent, open and fair processes

The process of CA's, the exact formulation of the question, the random selection of the participants, the moderation, the consultations, the interrogation of different interests, financing, i.e. the entire organisation and all processes in and around CA's must be independent and uninfluenced by the convening politics or other strong external influences. Likewise, the organisations and bodies involved as well as people working in them must not have any influence on the results.

The organising and processes must not be too restricted. The design must remain open for development and be largely self-determined. The people involved reflect on the given framework, on possible influence from outside as well as from within. If necessary, they agree on expanding procedural rules and actively shape the processes in a learning process.

All processes of the Citizens' Assembly, as well as of accompanying and organising committees are largely independent, uninfluenced and self-determined, fair, open, public, transparent and comprehensible.

5a. Representation, random selection of participants

The aim is to achieve demographic representation through a stratified random selection of participants. The drawing of lots ensures that all citizens could participate in CA's, and not only those who participate frequently anyway. For demographic representation, criteria such as gender, age, origin, education level, income, etc. are used. (Nationwide) CA's must be large enough to represent as many different groups as possible. In this way, a composition of CA's that reflect the demographic profile of society is achieved.

5b. Representation of interests and perspectives

The diversity of interests in society, as well as the different perspectives on the issues of e.g. climate crisis or biodiversity crisis must be taken into account in the process of political decision-making. Interest groups, citizens or people affected by an issue are given the opportunity to turn to a CA in writing with comments, hints or suggestions, interests, views and ideas for solutions. The CA's will be informed about the multitude of interests by representatives.

The coordination group determines the criteria that describe who is, for example, an interest group representation of interests, but does not select them. In order to hear everyone in a limited amount of time practical solutions are worked out to select some representatives to present similar perspectives. All perspectives should be represented in balance.

During the consultation CA's still have the opportunity to hear questions, suggestions and input directly from people.

5c. Representation of the public discourse

Citizens' councils are convened on issues that are important in society.

Through a stratified random selection of participants, a demographic representation of society is aimed for. The participants are apprised of the diversity of perspectives and interests in society in the learning, information and consultation phases of Citizens' Assemblies.

6. Questioning

The formulation of the question is also decisive for the success of a CA. It should be specific enough for a clear focus, but not too restrictive in any way (open to process), so that the participants can bring in the whole range of their ideas to solve the issue (open to results). A question must include the topic as well as explanations of the reason, the objective and the task of the CA in order to avoid misinterpretations. In view of the importance of the question, the wording should be agreed upon with the convening institution, the CA bodies and, where appropriate, the participants in a democratic and democratic-deliberative process.

The openness of the process also includes the self-determined extension of the the questions, the division into different thematic areas, or even the referral of certain topics to a subsequent CA (see Self-determination of CA's).

The question will be developed in an open, fair and democratic-deliberative process with the bodies of the Citizens' Council and the participants. The formulation leaves room for further development in the course of the participants' consultations.

7. Informedness

Sufficient and balanced information is the basis of every considered decision. In addition to numbers, data and facts on the subject, this also includes information on the diversity of perspectives and interests in society (values, opinions, world views), on alternatives in the decision-making process (e.g. voting procedures), on how to deal with ambiguities, and information on the possible consequences of decisions, including how to deal with the consequences.

All consultations of the participants take place on an equal information basis.

Decisions are only made on the basis of sufficient and balanced information. The participants have a final say in deciding on the type and the nature and extent of the information.

8. Self-determination

In order for CA's to formulate their recommendations in a self-determined way, the participants decide on the design of the consultation and voting process, on recommendations on how to deal with the results, etc.. They can do this in addition to possible recommendations from the committees. Information on possible alternatives must be given.

Participants decide independently, but with good reason,

- if and how the questioning should be changed
- which further information is needed
- which interests and opinions are to be heard during consultation
- how to debate together
- which voting procedures are used to achieve the results
- the extension of the CA
- etc.

CA's can recommendate on

- the manner of continuation, e.g. in a subsequent CA
- which further topics would be important for their task
- how the procedure or individual processes of the CA can be developed
- the political follow-up process
- the implementation of measures
- etc.

The participants shape the entire process of Citizens' Assemblies in a self-determined way.

9. Moderated fair discourse in all counselling steps

The heart of CA's is deliberation, where informed advice is given, active listening is done and information is carefully considered. CA's should include small group and plenary sessions. These should be facilitated by trained facilitators to ensure that all participants have equal space to speak and are heard and understood. The standard in all consultations is a fair and equal, appreciative and power-balancing discourse. Statements, opinions or assertions should be comprehensibly justified; the justifications should be generalisable. At the same time, personal evaluation or opinion is valued simply because of the diversity of perspectives. This is ensured by qualified moderation that is only committed to the people involved.

A moderation that is committed to the participants ensures that the communication and deliberation between the participants, but also within the committees and coordination groups is fair, equal, appreciative, power-balancing and knowledge-oriented.

10. Sufficient resources

CA's need a generous and flexible time frame to achieve good quality results on complex issues. For solutions and decisions on the issues of e.g. ecocide or climate justice, several weekends are required, preferably in face-to-face sessions, with intervening information phases (also digital) over a longer period of time. If the time frame is too tight, the CA may not be able to come up with any recommendations for solutions or they may be too general to lead to concrete measures.

Likewise, a supportive organisation with a flexible framework and sufficient financial resources (e.g. compensation for participants, speakers, the committees, etc.) is needed.

In addition, sufficient funds should be planned for accompanying public relations.

The resources of time, organisation and finances should be sufficient to allow changes, if necessary, and to ensure proper results.

11. CA's organised by civil society

CA's organised by civil society also have, if the criteria are met, a high impulse-giving power for the process of political decision-making. However, if the recognition of the political institutions is missing (see political connection), an important legitimising factor is missing. Even if a CA is supported by a high-ranking politician, the power is significantly lower and it is much more difficult to anchor the BR in the public discourse. If this discourse has taken place extensively before or led to the BR, there is still a need for public discourse on the results.

A subsequent recognition of a civil-society CA in the Bundestag (parliament) would then be a final legitimation if the recommendations of the CA as a whole (e.g. in the form of a bill) are included in the debate. The government then has to justify its policy to the Citizens' Assembly and to the public. A direct-democratic procedure (e.g. referendum) could also provide the recommendations with a final legitimation; however, such a procedure does not currently exist at the federal level.