



ORIGINAL PAPER

Involving Young People in Democratic Decisions: Consultation Mechanisms and Opportunities

Raluca-Camelia Voinea ¹⁾

Abstract:

The paper explores how young people can be involved in decision-making and democratic life. Through consultation mechanisms, young people can contribute to policy formulation and community development.

The paper addresses the context and importance of consulting young people in decision-making, the concept of consultation and types of consultation. It explores the tools and methods used to consult young people and highlights the role of institutions and organizations in consulting young people. The paper identifies obstacles in the consultation process and proposes solutions to remove or reduce these barriers.

Involving young people in democratic life is essential for building a fair and progressive society. It is important that public authorities, non-governmental organizations and educational institutions work together to ensure accessibility and transparency in consultation processes. Young people must be informed and encouraged to exercise their democratic rights.

Keywords: *decision-making process, democratic life, transparency, consultation mechanisms*

¹⁾ Lecturer, Ph.D., University of Craiova, Faculty of Law , Department of Public Law and Administrative Sciences, Craiova, Romania, Email: ralucavoinea1412@gmail.com , Phone: +40 745261778 , <https://orcid.org/0009-0007-3473-9611>

Introduction:

The active participation of young people in decision-making and implementation of actions at local and regional level is crucial for building more tolerant and prosperous democratic societies. Involvement in the democratic life of a community means much more than simply exercising the right to vote. Active citizenship and participation implies the provision of mechanisms for action by decision-makers as well as their use by citizens: the support needed to influence decisions and engage in actions that contribute to the development of a better society must be provided by the state, the exercise of rights, the effective use of means, space and ethical access to opportunities for participation are the responsibility of young citizens and beyond.

Local and regional authorities, being closest to young people, have a key role to play in promoting their participation. They can ensure that young people not only hear or learn about democracy and citizenship, but also have the opportunity to practise it effectively. It is essential that young people are able to influence and shape decisions and actions from a young age, not just later in life, to ensure meaningful and continuous participation.

Young people account for 15.80% of Romania's population, the EU average being 16.20%, and the country with the most young people being Cyprus with 19.80% (<https://www.zf.ro/special/tinerii-reprezinta-mai-putin-de-16-din-populatia-romaniei-in-22374765>). This percentage proves the high representation of young people in Romania's population, citizens with unique perspectives and specific needs, and reinforces the belief that the participation of young people in democratic decision-making is essential. Their involvement ensures the diversity of society.

In addition, young people bring new ideas and innovative solutions to current problems. They are often more open to change and have a vision shaped by the adoption of new technologies. The benefits of participation lie in their personal development by developing leadership skills, critical thinking and civic responsibility. Young people involved today will become tomorrow's leaders who ensure the continuity and sustainability of participatory democracy.

The importance of youth participation is complemented by the conclusion that policies that take young people's voices into account are better tailored to meet the needs of all citizens, contributing to more effective and equitable governance.

Research methodology:

In order to realize this material we started with a research of national legislation in the field of youth participation.

The primary legislation, the basis of the regulations for participation in general, is the Law no. 52/2003 on the transparency of decision-making in public administration and the Methodological Norms for the application of Law no. 52/2003 on the transparency of decision-making in public administration, of 27.06.2022.

The purpose of Law 52/2003 is regulated in Article 1, paragraph 2, letter b) and refers to the involvement of active participation of citizens in the process of administrative decision-making and in the process of drafting normative acts. Other regulations contained in the aforementioned law refer to the procedure of public consultations. Thus, the drafting of a draft normative act is preceded by the publication by the issuer, at least 30 working days before the submission of the draft for approval, of a notice of the intention to draft the normative act and a period of at least 10 calendar days to receive in writing proposals, suggestions or opinions on the draft normative act

Involving Young People in Democratic Decisions: Consultation Mechanisms and Opportunities

(Law 53/2003). This procedure is known as public debate, which ensures the right to free expression of any interested citizen.

Article 2, letter a) of the above mentioned law stipulates a principle on the basis of which the law is implemented and which regulates that the information of persons must be provided in advance, ex officio, on issues of public interest to be debated by the central and local public administration authorities, as well as on draft normative acts. This principle represents the point of analysis of the regulations contained in another law, namely Law 544/2001 on free access to information of public interest (Romanian Parliament), as well as in the Methodological Norms for the application of Law 544/2001 on free access to information of public interest of 07.02.2002 (Romanian Government. Art. 3 of Law 544/2001 regulates the obligation of public authorities and institutions to provide access to information of public interest ex officio or upon request, through the public relations department or the person designated for this purpose.

Youth Law 350/2006 (Romanian Parliament) defines young people as citizens between 14 and 35 years of age to whom a number of principles of participation are respected and applicable, as reflected in the provisions of ert.4): ensuring the participation of young people in the decisions that concern them, including in the drafting, promotion and implementation of youth policies, in particular through non-governmental youth and youth structures; increasing the participation of young people in public life and encouraging them to assume individual or group responsibilities; supporting and guiding young people to participate actively in the economic, educational and cultural life of the country

Thus, since 2001 there has been a legal framework for citizens to be legally informed and, on the basis of this information, to participate actively in the democratic life of society, and since 2006 there has been a youth law that establishes the principle of participation as the basis for the exercise of certain rights.

Compliance with the legal provisions of the above-mentioned normative acts is ensured by the General Secretariat of the Government, which annually draws up a Report on compliance with these legislations.

As a research method we also used data analysis of these reports.

Data for a completed calendar year is collected in the middle of the next year. Thus for the year 2023, data has just been collected and there is not yet a report, and data for the year 2022 is contained in a report available at <https://sgg.gov.ro/1/transparenta-decizionala-monitorizare/>.

According to him, the data contained in Annex 7 of the Methodological Norms for the implementation of Law no. 52/2003 on the transparency of decision-making in public administration were collected from 93 authorities and institutions of central and local public administration, respectively:

Year	INSTITUTIONS	No.
2022	Ministry	10
	County Councils	31
	Municipalities	52

- Appraisals of own work in the field of transparency in decision-making;
- Available resources on transparency in decision-making,
- Working with specialized directorates
- Partnership with citizens and their legally constituted associations

Raluca-Camelia Voinea

- Data on the process of drafting normative acts
- How to announce draft legislative acts
- Relations with civil society
- Status of recommendations received and public debate meetings
- Data on decision-making

The report highlights that central authorities, i.e. ministries, have a very good partnership with citizens and their associations, in contrast to local authorities, which rate the partnership as good.

As regards the consultation process, in 2022, 11,912 normative acts were adopted and 9,583 of them were subject to public consultation on the institutions' own websites or at the issuer's premises.

143 people working in public administration have specific public information and communication tasks, and they are responsible for 1,567 of the 127,000 associations and foundations registered in 2022. A mathematical calculation means 10 associations per 1 person and a percentage of 0.01 of the established associations participating in democratic life.

Following the implementation of the public consultation process and citizens' participation with proposals, 2022 saw

Recommendations	3.472
Recommendations introduced in draft legislation	24,34%
Organized public meetings	2.653
Number of civil society participants	11.288
Number of media participants	1.473

These data prove that the percentage of civil society participation in Romania is extremely low.

A study published by Eurobarometer 2007-2022 (European Parliament) shows that in Romania, the socio-demographic trend for citizens to have their voice heard is increasing 15 years after becoming EU citizens by 16% to 36% (2022) from 20% (2007), compared to the EU average increase of 13% from 30% (2007) to 43% (2022)

Romania's average is also higher than the EU average in terms of satisfaction with democracy in the EU, with 16% of Romanian citizens being satisfied with democracy compared to 11% of the EU.

In order to report the degree of implementation of the legislative provisions of Law 544/2001, the General Secretariat of the Government monitored the compliance of public authorities with the standards for displaying public information and the set of information/documents that institutions must publish for the information of citizens included in the National Anti-Corruption Strategy 2016 - 2020 (Romanian Government) and found an improvement of the general situation by increasing the volume of public information displayed in a standardized manner and the frequency of their updating. The initial standards were maintained and included in the National Anti-Corruption Strategy 2021 - 2025 (Government of Romania), and the General Secretariat of the Government *monitored and evaluated the application by public authorities and institutions of the legal provisions on free access to information of public interest in public administration*, according to the regulations

Involving Young People in Democratic Decisions: Consultation Mechanisms and Opportunities

set out in Art 3. Paragraph 1 point 5 letter e of the Government Decision no. 137/2020 on the organization, functioning and attributions of the General Secretariat of the Government (Government of Romania).

During 2023, 582 websites of public institutions were monitored nationwide:

Ministry	21
institutions, authorities and agencies of the central public administration subordinated to or coordinated by ministries	126
autonomous central authorities and institutions	27
prefect's institutions	42
county councils	41
Mayors of municipalities and cities at national level	325

The monitoring involved verifying the compliance of institutional websites with a number of 25 legal indicators included in the National Anti-Corruption Strategy 2021 - 2025, of which we list those that are relevant to the subject of the study: Name of the person responsible for receiving requests based on Law no. 544/2001, contact details, models of request and complaint forms; Decision-making transparency, including Annual Report Law no. 52/2003 (previous year); Institutional integrity.

The results of the monitoring revealed the existence of deficiencies with regard to the following data relevant to the present study: annual report Law no. 544/2001; annual report Law no. 52/2003; Institutional Integrity section.

The analysis of the 2 reports (General Secretariat of the Government) on the implementation of the legislation in the field of participation has outlined a series of recommendations based on the points to be improved.

Thus, starting from the difficulties reported in the public consultation process: absenteeism, disinterest, dissatisfaction and lack of initiative, lack of understanding of the role of public debates on draft legislation, low degree of involvement of civil society and citizens, the reporting public institutions have proposed a series of measures to improve the aspects considered important to increase the efficiency of public consultations:

- Direct and more effective means of communication and consultation;
- Simplifying consultation procedures by using modern means of communication;
- Improved inter-institutional communication;
- Continuous training of public administration staff in the application of Law 52/2003;

Legal ways for young people to participate in democratic decisions

Citizens' participation in solving local problems of particular interest implies their involvement in the management of decisions and service provision (Public Participation Resource Center, 2006:10).

Participatory democracy aims to bring decisions as close as possible to the beneficiaries, who are informed and consulted on how to manage public authority and resources. Following the dialog between authorities and citizens, to the extent possible, the suggestions of the latter are integrated into government interventions, thus aiming to meet the needs of local communities (Voican: 2008:8).

The terminology used in the sphere of encouraging citizens' participation in solving local problems of particular interest is wide-ranging and includes various formulations such as: The principle of citizen consultation; The right to obtain information of public interest; Consultation with beneficiaries; Collective consultation; Consultation of interest holders/stakeholders/beneficiaries; Consultation of direct/immediate/key beneficiaries; Citizens' access to information of public interest; Dialogue with citizens; Civil dialogue; Citizens' participation in decision-making; Public participation in decision-making; Transparency of decision-making; Public debates; Negotiations with employers and professional/industry trade unions....; Referendum; Plebiscite; Participatory democracy, etc.

All these names are also ways of involving citizens in the democratic decision-making process. This process involves three stages leading to effective participation:

Stage 1. Informing the citizen. This stage has a legal basis in a series of normative acts: the Constitution, art.31, which recognizes the individual's right to information; Law no. 544/2001 on free access to information of public interest which defines the right to information as access to any information of public interest and outlines a series of rights and obligations for public administration authorities. Thus public authorities are obliged to ensure that citizens are correctly informed about the following two elements: public affairs and matters of personal interest. And the only restriction on the exercise of the right to information is that it must not jeopardize national security and measures to protect young people. The right to information is thus considered a fundamental right of the individual which is regarded as essential to life, liberty and dignity, being indispensable for the free development of the human personality. The exercise of the right of free access to information implies the obligation of the authorities to provide information to citizens. Thus, according to Law no. 544/2001 on free access to information of public interest, free and unrestricted access of individuals to information of public interest is outlined as a fundamental principle of relations between individuals and public authorities (Parliament of Romania, 2001:544). Access to information of public interest (Gîrleşteanu, 2011) will be realized by the competent public authorities or institutions in two ways: ex officio or at the request of individuals (Romanian Parliament, 2001:544).

In compliance with these provisions, the citizen has access to ex officio information (including the institution's Activity Report) and information on request.

Stage 2. Citizens are consulted on both national and local issues through:

Hearings: Local elected officials (local/county councilors, mayor, deputy mayor, county council president and vice president) are required by law to hold hearings and present information to the City/County Council on issues raised by citizens. A hearing is a meeting, an interview given to a requesting citizen by a person holding a responsible position, such as a local elected official. The hearing meeting is held in a restricted setting, usually at the public official's office at the public institution

Quarterly meetings: citizen meetings are one of the ways elected officials can identify the needs of citizens in the community. That is why local elected officials are required to organize regular, at least quarterly, citizen meetings. The citizens' meeting is an informal meeting to discuss specific citizens' problems or ongoing or planned projects in the locality or neighborhood.

Public debates on draft administrative acts: Consultation through public debates is a mandatory step in the process of adopting administrative acts as instruments for public policy making and administrative decisions. The purpose of consultations is to

Involving Young People in Democratic Decisions: Consultation Mechanisms and Opportunities

create the framework for dialog in which citizens provide feedback on public policy options at various stages of the decision-making process. The procedure for carrying out consultations on draft legislative acts is described in Article 6 of Law No 52/2003 and refers to the obligation to publicize and organize procedures for consulting citizens in the process of drafting legislative acts, with the relevant deadlines.

Citizens' participation in local council meetings: as a form of achieving participatory democracy, the publicity of the meetings of the legislative bodies, the two chambers of the Parliament and the local and county councils, respectively, aims, on the one hand, to make the decision-making and legislative process more transparent and, on the other hand, to enable citizens to become co-participants in solving the problems of the nation, respectively of the local communities. If the rule is the publicity of the meetings, by exception to this rule, the law limits citizens' access to the meetings in which national security and safety policy issues or other data expressly provided for by Law no. 52/2003 are debated.

Referendum: Referendum is the consultation process by which citizens are asked to vote "YES" or "NO" on the issue subject to referendum, deciding by a majority of valid votes cast. The legal act governing the referendum is Law 3/2000 on the organization and conduct of referendums.

Stage 3. Active participation materializes through:

Advocacy: The root of the word advocacy comes from the word advocate and means to plead, and the advocate is the ambassador and supporter of a cause. Advocacy campaigns aim to solve the problem facing members of the community. The target of the advocacy campaign is the authorities who have the power to solve that problem. In order to achieve their objectives, citizen organizations need to go through several steps in an advocacy campaign: • Clearly formulating the purpose and objectives of the campaign; • Communicating externally through clear, keyworded messages; • Identifying stakeholders/ stakeholders and building alliances; • Establishing the techniques and steps to be followed.

Legislative initiative at national and local level: the legislative initiative is that form of realization of participatory democracy that allows citizens to participate in the decision-making process by formulating proposals for draft laws and resolutions of local or county councils. The exercise of the local legislative initiative is regulated by the Administrative Code O.U.G. no. 57/2019. which allows citizens to provoke the triggering of the decision-making procedure and to propose normative acts themselves.

Partnership: As one of the most recent trends in promoting participatory democracy, the establishment of partnership aims to bring together in a common framework the diverse conflicting interests of local, regional or national stakeholders to find solutions to local needs and priorities (UNDP, 2002). Partnership is defined as a group of actors/organizations that have come together to address issues of common concern, where all partners, using their skills, experience and resources, can contribute to development (Andersson, 2006:16-17).

Although there are these legally regulated ways that offer young people the possibility to get involved in democratic life, statistics show that, on the participation component, Romania is among the group of EU Member States with the lowest level of participation of young people in activities organized by different groups and clubs. Nearly one third, 32% of young people stated that they participate in at least one activity, such as: sports clubs; youth, leisure or any kind of youth organization; cultural organization; local organization active in the local community; political organization or

political party; human rights or global development organization; environmental or climate change organization; any other non-governmental organization (European Commission, 2023)

Compared to the EU average, Romania has lower levels of youth participation in all types of activities. The biggest differences were found in the activities of sports clubs, with a share of 62% - 26th place, cultural organizations, with a share of 47% - 20th place, and local organizations active in the community, with a share of 46% - 23rd place.

Civic activism, as measured by membership in non-governmental organizations - foundations, associations, remains modest. According to BOPT data, it amounted to 8% in 2018, almost double the level in 2016, and 13% in 2020.

When it comes to participation in decision-making, young people's assessments remain predominantly negative: 39% believe that they cannot influence decisions at local level and 45% believe that they cannot influence decisions at central level, compared to 25% who believe that they can influence decisions at local level and 27% at national level (Ministry of Youth and Sport, 2021)

According to another study conducted in 2024 on young people in Romania and around the world, young Romanians also engage in other forms of civic and political participation: signing an online petition (29% have participated in such an activity), participating in demonstrations (20%), volunteering in NGOs (32%), joining a political party or political group (10%), boycotting products for political or environmental reasons (21%) or participating in online political activities (17%) (Freidrich Ebert Stiftung, 2024).

Young voters: In addition to these methods known and analyzed in the legislation and specialized doctrine, young people are recognized the right to vote, which they exercise from the age of 18. Article 36 of the Constitution provides for the right to vote, but not the corresponding obligation. This is why the turnout of young people at different types of elections varies. Thus, compared to the 2020 elections, in the 2024 parliamentary elections, the turnout of young people was a third higher, but 7% below the national average. The reasons for the below country average were:

- 51% do not consider themselves civically engaged
- 76% have little or no confidence in democracy,
- 95% say they have little or no trust in political parties.

Conclusion

By corroborating all the studies, questionnaires, legislative provisions and reports monitoring compliance with laws in the field of participatory democracy, we conclude that, in a democratic society, tools for young people to be legally involved in decision-making exist, but they are used with reluctance and distrust.

Understanding what motivates or hinders young people to participate in civic activities, as well as their attitudes towards society and politics, is key to designing initiatives to promote more active citizenship and an essential aspect of developing youth-friendly policies.

The Romanian Government's National Youth Strategy 2024-2027 proposes a series of activities and measures that foresee the following outcomes in terms of youth participation:

Involving Young People in Democratic Decisions: Consultation Mechanisms and Opportunities

- The legislative and institutional framework in the field of youth policies adjusted and harmonized. The outcome aims at improving the regulatory framework for youth policies, youth foundations and clarifying the situation of youth assets. In addition, the result aims to strengthen the administrative capacity to manage youth policies, develop the IT infrastructure, increase the quality of services and diversify services. Financial support mechanisms, support for the participation of youth organizations in accessing funding and information campaigns on projects and funding opportunities are also envisaged in order to achieve the outcome.

- Increased level of social and individual responsibility. Within this outcome, the focus is on promoting health and health education, preventing and combating violence of all kinds, trafficking in human beings and risk behaviors, and empowering young people to act as agents of change for sustainable and environmentally friendly development.

- Increased degree of participation of youth organizations in accessing and implementing national and European programmes. Within this outcome, the focus is on developing volunteering, increasing opportunities and forms of participation in decision-making, representation and increasing the capacity to get involved in youth projects.

- Increased level of active involvement of young people in public life. Improved digital competences. The outcome emphasizes measures that contribute to supporting and encouraging young people's participation in public life as well as those that contribute to the development of digital skills needed for digital transformation and cybersecurity. (Government of Romania, 2024). National Youth Strategy 2024-2027)

Considering that young people are the future, and that in Romania they represent 15.8% of the country's population, their participation not only enriches the democratic process, but also contributes to the development of a more inclusive and dynamic society.

References:

- Andersson, M. (2006). On the Art of Developing Partnerships, Arbetslivinstitutet, The Swedish ESF Council, Stockholm, 16-17.
- Public Participation Resource Center (2006). 10.
- Freidrich Ebert Stiftung (2024). Opinions, fears and aspirations of young people in a Romania of social inequality. Available online: <https://library.fes.de/pdf-files/bueros/bukarest/21471.pdf>
- Gîrleşteanu, G. (2011). General Organization of Administration, Universul Juridic Publishing House, Bucharest
- Government of Romania (2002) Methodological Norms for the application of Law no. 544/2001 on free access to information of public interest
- Government of Romania (2002). Methodological Norms for the application of Law no. 52/2003 on decisional transparency in public administration
- Romanian Government (2016). Decision No 583/2016 on the approval of the National Anti-Corruption Strategy for 2016-2020; Available online: <https://antifrauda.gov.ro/w/sna/>
- Romanian Government (2021). Decision No. 1.269 of December 17, 2021, Available online: <https://sgg.gov.ro/1/strategia-nationala-anticoruptie/>

- Government of Romania (2020). Government Decision no. 137/2020 on the organization, functioning and tasks of the General Secretariat of the Government.
- Romanian Government. (2024). National Youth Strategy 2024-2027. Available online: <https://sgg.gov.ro/1/wp-content/uploads/2024/05/Strategia-Nationala-pentru-Tineret-2024-2027.pdf>
- Romanian Institute for Evaluation and Strategy, (2024). Young people in Romania in electoral year 2024
- Ministry of Youth and Sport (2021). Diagnoză 2020 - Youth situation and expectations. 37. Available online: https://sport.gov.ro/wp-content/uploads/2020/12/IRES_DIAGNOZA-2020-_raport-finalMTS.pdf,
- Romanian Parliament (2001) Law 544/2001 on free access to information of public interest
- Romanian Parliament (2003) Law no. 52/2003 on decisional transparency in public administration
- Romanian Parliament (2006) - Youth Law 350/2006
- European Parliament (2022). Available online <https://www.europarl.europa.eu/at-your-service/files/be-heard/eurobarometer/2022/socio-demographic-trends-national-public-opinion-edition-8/ro-sociodemographic-trends-2022.pdf>
- General Secretariat of the Government (2023). Analysis of the results of the process of demonetization of central and local public authorities and institutions on the standardized ex officio display of information of public interest in the period 2022-2023. Available online: <https://sgg.gov.ro/1/transparenta-decizionala-monitorizare/>.
- General Secretariat of the Government (2023). SUMMARY OF THE ANNUAL REPORTS ON TRANSPARENCY OF DECISION-MAKING IN PUBLIC ADMINISTRATION FOR 2022. Available online: <https://sgg.gov.ro/1/transparenta-decizionala-monitorizare/renta-decizionala-monitorizare/>.
- UNDP (2002) How to make local development work, Bratislava, v.
- Voican, M. (2008) Framework principles of local public administration, Universul Juridic, Bucharest, 8
- Ziarul Financiar (2024). Young people represent less than 16% of Romania's population. We rank 17th in the European Union. Available online: <https://www.zf.ro/special/tinerii-reprezinta-mai-putin-de-16-din-populatia-romaniei-in-22374765>

Article Info

Received: November 01 2024

Accepted: November 16 2024

Involving Young People in Democratic Decisions: Consultation Mechanisms and Opportunities

How to cite this article:

Voinea, R.-C. (2024). Involving Young People in Democratic Decisions: Consultation Mechanisms and Opportunities. *Revista de Științe Politice. Revue des Sciences Politiques*, no. 84, pp. 229 – 239.