OECD WORK ON OPEN GOVERNMENT

in at the forefront of evidence-based analysis of open government reforms in member countries. The OECD Open Government Project provides countries of analysis and actionable support. This includes:

- Government Reviews
- Panels and other representative deliberative processes to tackle complex public issues
- Seminars for public officials and civil society

WHAT IS THE PURPOSE OF THIS HIGHLIGHTS?

This highlights document covers the main findings and proposals from the OECD Recommendation of the Council on Open Government (2017). It focuses on new research in deliberative processes to analyse the new forms of deliberative, participatory decision making that are evolving across the globe.

Based on the analysis of close to 300 representative deliberative practices, this document provides a comprehensive overview of the main tenets of deliberative activities and initiatives by setting 10 provisions to guide Adherents to implementation.

OECD WORK ON INNOVATIVE CITIZEN PARTICIPATION

Supports countries in the implementation of Provision 9 of the OECD Recommendation of the Council on Open Government (2017), which focuses on exploring how to effectively engage with stakeholders to source ideas, co-create solutions, and embed public deliberation in policy formulation and implementation tools. It focuses on new research in innovative citizen participation practices to analyse the new forms of deliberative, participatory decision making that are evolving across the globe.

The OECD has been engaging with the Innovative Citizen Participation Workshops of practitioners, designers, academics, researchers, civil servants, and leaders from government, civil society, and academia. The work is co-ordinated by the OECD Innovative Citizen Participation team.

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7. Proposals for action

Consult the complete report:

medium.com/participo

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INTRODUCTION

KEY TERMS

THREE CRITERIA FOR INCLUSION IN STUDY

WHY REPRESENTATIVENESS AND DELIBERATION?

WHEN TO USE REPRESENTATIVE DELIBERATIVE PROCESSES

The increasing complexity of policy making and the failure to find solutions to some of the most pressing policy problems have prompted politicians, policy makers, civil society organisations, and citizens to reflect on how collective public decisions should be taken in the twenty-first century. There is a need for new ways to find common ground and take action. This is particularly true for issues that are values-based, require trade-offs, and demand long-term solutions. The OECD has collected evidence and data that support the idea that citizen participation in public decision making can deliver better policies, strengthen democracy and build trust. This report focuses on representative deliberative processes in particular, as part of a wider effort by democratic institutions to become more participatory and open to informed citizen input and collective intelligence.

Assembling ordinary citizens from all parts of society to deliberate on complex political questions and develop collective proposals has become increasingly attractive in this context. Over the past few decades, the 'deliberative wave' has been building. Public authorities at all levels of government have been using Citizens’ Assemblies, Juries, Panels, and other representative deliberative processes. In these processes, randomly selected citizens, making up a microcosm of a community, spend significant time learning and collaborating through facilitated deliberation to develop informed collective recommendations for public authorities.

In many ways, combining the principles of deliberation (careful and open discussion to weigh evidence about an issue), representativeness (achieved through random sampling from which a representative selection is made), and impact (with a link to public decision making) is not new. This combination of principles is rooted in ancient democracy and were applied to history until two to three centuries ago. However, is their modern application, to make such processes innovative.

As the use of representative deliberative processes proliferates, this report presents evidence to guide policy makers on the practices and options for institutionalising citizen deliberation. It is the first comparative study that analyses deliberative processes are being used to decision making around the world. Based on data collected from 289 cases (from OECD countries) from 1990 to 2019, and in collaboration with an independent advisory group, the OECD has identified two distinct models of deliberative processes, evaluated what a ‘successful’ process looked like, developed good practice principles, and explored three routes to institutionalising citizen deliberation. This research and practices fit within the organisation’s wider efforts to embed public deliberation into public decision making as the start of a period of transformation to adapt the architecture of representative democracy. Democratic institutions around the world are beginning to transform that give citizens a more direct role in setting agendas and shaping the public policies that affect them. Based on extensive analysis, this OECD report contributes emerging international evidence on these trends and helps public authorities implement good practices and policies to institutionalising citizen deliberation.
Representative processes are often referred to as deliberative, with deliberative democracy being a term used to describe processes that involve random sampling from which a representative selection is made to ensure that the group broadly matches the demographic profile of the community. These processes are often in shorthand as deliberative democracy and the term is used interchangeably with deliberative processes that have been embedded in public decision-making through facilitated collective deliberation.

Random selection is a method of recruitment processes that involve random sampling from which a representative selection is made to ensure that the group broadly matches the demographic profile of the community (based on census or other similar data). Finally, the report makes frequent references to citizens. The term is meant in the larger sense of ‘an inhabitant of a particular place’, which can be in reference to a village, town, city, region, state, or country depending on the context. When the word citizen is employed, it is not meant in the more restrictive sense of ‘a legally recognised national of a state’, but simply used interchangeably with ‘people’.

**TWO CRITERIA FOR INCLUSION IN THE STUDY**

<table>
<thead>
<tr>
<th>Deliberative democracy</th>
<th>Participatory democracy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of participants</td>
<td>Large numbers of people, ideally everyone affected by a particular decision. The aim is to achieve breadth.</td>
</tr>
<tr>
<td>Type of participation</td>
<td>More participation, in all aspects of politics, from all citizens who choose to be involved: an embrace and encouragement of a diversity of opportunities for political engagement.</td>
</tr>
<tr>
<td>Participant selection</td>
<td>Self-selected participation in order to enable as many people as possible to share the experience.</td>
</tr>
</tbody>
</table>

**TABLE 1. KEY DIFFERENCES BETWEEN DELIBERATIVE AND PARTICIPATORY DEMOCRACY**

<table>
<thead>
<tr>
<th>Type of participation</th>
<th>Number of participants</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deliberative democracy</td>
<td>Relatively small (but representative) groups of people, as it is difficult to have deep deliberation among large numbers.</td>
</tr>
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</tr>
</tbody>
</table>

**THREE CRITERIA FOR INCLUSION IN THE STUDY**

In analysing the evidence collected on deliberative processes across countries, three core features were revealed as being of key importance, a fact also reflected in the work of scholars in the field. These were thus the three criteria required to be included in this study:

1. **Deliberation**, which involves weighing carefully different options, access to accurate and diverse information, and participants finding common ground.

2. **Representativeness**, achieved through random sampling from which a representative selection is made to ensure the group broadly matches the demographic profile of the community (based on census or other similar data), and

3. **Impact**, meaning decision makers agree to respond to and act on recommendations.
WHY REPRESENTATIVENESS AND DELIBERATION?

Help counteract polarisation and disinformation. Empirical research has shown that “communicative echo chambers that intensify cultural cognition, identity reaffirmation, and polarisation do not operate in deliberative conditions, groups of like-minded partisans” (Dryzek et al, 2019; see Grönlund et al, 2019). There is also evidence to suggest that deliberation can be an effective way to cut across ethnic, religious, or ideological divisions between groups that have historically maintained their identity in rejecting that of the other (Ugarizza et al., 2014).

WHEN AND WHEN NOT TO USE REPRESENTATIVE DELIBERATIVE PROCESSES

When to Use

Greater legitimacy to make hard choices. These processes help policy makers to better understand policy priorities, the values and reasons behind them, to identify where consensus is and is not feasible, and to overcome political deadlock.

Values-driven dilemmas

Representative deliberative processes are designed in a way that encourages active listening, critical thinking, and respect between participants. They create an environment in which discussing difficult ethical questions that have no evident or ‘right’ solutions can happen in a civil way, and can enable participants to find common ground.

More inclusive governance

Many public policy issues are difficult decisions to take, as their benefits are often only realised when the process goes beyond the short-term incentives of electoral cycles. Deliberative processes help to justify the process by ensuring that the process is open, visible, and provides an opportunity for all stakeholders to present their views. Participants’ identities are often protected until after the process is over, and the decision is made.

Strengthen integrity and prevent corruption

Representative deliberative processes are designed to provide participants with a chance to learn, reflect, and deliberate. They are designed to a wide range of evidence, from officials, academics, think tanks, groups, businesses and other stakeholders. These design characteristics enable participants to grapple with the complexity of the issues at hand and to consider problems that require different methods of resolution or participation. For example, deliberative processes may be better suited to addressing the problems of political inclusion and collective decision making in a way that removes the motivated incentives of political parties and elections, incentivising participants to act in the interests of the public.

When Not to Use

Long-term issues that go beyond the short-term incentives of electoral cycles

However, deliberative processes are not a panacea; they do not address all of the demands outlined in this introduction. Democratic societies face a wide range of governance problems outlined in this introduction. Democratic societies face a wide range of governance problems outlined in this introduction.

Key principles of deliberative good practice are that the process is transparent, visible, and provides an opportunity for all stakeholders to present their views. Participants’ identities are often protected until after the process is over.

Strengthen integrity and prevent corruption

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However, deliberative processes are not a panacea; they do not address all of the demands outlined in this introduction. Democratic societies face a wide range of governance problems outlined in this introduction. Democratic societies face a wide range of governance problems outlined in this introduction.
The OECD has drawn the common principles and good practices, identified in the provisions 1-9 of the Recommendation on Open Government, together into a set of Good Practice Principles for Deliberative Processes for Public Decision Making. These principles could provide policy makers with useful guidance as to the establishment of deliberative processes and the implementation of their provisions 1-9 of the Recommendation on Open Government.

**PURPOSE**

The objective should be outlined as a clear task and is linked to a defined public problem. It should be phrased neutrally as a question in plain language.

**ACCOUNTABILITY**

There should be influence on public decisions. The commissioning public authority should publicly commit to or act upon participating in the deliberative process and all accepted recommendations in a timely manner. It should monitor the implementation of all accepted recommendations in public progress reports.

**TRANSPARENCY**

The deliberative process should be announced publicly before it begins. The process design and all materials – including agendas, briefing documents, evidence, the participants' report, their recommendations (the wording of which participants should have a final say over), and the random selection methodology – should be available to the public in a timely manner. The funding source should be disclosed. The commissioning public authority's response to the recommendations and the evaluation after the process should be made publicly available.
Participants should be a microcosm of the general public. This is achieved through random sampling from which a representative selection is made, based on stratification graphics (to ensure the group broadly matches the demographic profile of the community against census or other similar data), and sometimes by attitudinal screening (depending on the context). Everyone should have an equal opportunity to become participants. In some instances, it may be desirable to over-sample certain demographics during the random sampling stage of recruitment to help achieve representativeness.

Inclusion should be achieved by considering under-represented groups. This should also be encouraged and achieved through remuneration, expenses, or paying for childcare and

**INTEGRITY**

The process should be run by an arm's length co-ordinating team different from the commissioning public authority. The final call regarding process decisions should be with the arm's length co-ordinators rather than the commissioning authorities. Depending on the context, there should be oversight by an advisory or monitoring board with representatives of different viewpoints.

**EVALUATION**

There should be an anonymous evaluation by the participants to assess the process based on objective criteria (e.g. on quantity and diversity of information provided, amount of time devoted to learning, independence of facilitation). An internal evaluation by the co-ordination team should be conducted against the good practice principles in this report to assess what has been achieved and how to improve future practice. An independent evaluation is recommended for some deliberative processes, particularly those that last a significant time. The
DIFFERENT MODELS OF REPRESENTATIVE DELIBERATIVE PROCESSES

EXAMPLE: CITIZENS' JURY/PANEL

CHOOSING A MODEL OF DELIBERATIVE ENGAGEMENT

Over the years, due to the combined efforts of policy makers, academics and civil society, numerous models of representative deliberative processes have been developed, tested, and implemented across the world. Drawing on the new empirical research collected and broader theoretical research on deliberative models, the OECD has identified 12 models of representative deliberative processes grouped by four types of purpose:

1. **Informed citizen recommendations on policy questions**: These processes require more time (on average a few weeks, and often longer) to provide adequate time and resources for considered and detailed recommendations. They are useful for complex policy issues that involve many trade-offs and entrenched political deadlock on an issue.

2. **Citizen opinion on policy questions**: These processes require less time than those in the first category but still respect the principle of representativeness and deliberation to provide decision makers with considered citizen opinions on a policy issue. Due to the time constraints, results are less detailed than those in processes designed for informed recommendations.

3. **Informed citizen evaluation of measures**: This process allows a representative group of citizens to identify the pros and cons of both sides of a ballot question. A report is distributed to voters ahead of the vote.

4. **Permanent representative bodies**: These new institutional arrangements allow for continuous citizen deliberation to inform decision making on an ongoing basis.

The models can be characterized by their purpose:

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Overall, the choice of deliberative models has so far depended on the familiarity with the model and experience using it, leading to preferences in different countries for specific models. However, their widespread use signals their universality and potential applicability in different national and local contexts.

The deliberative models presented here are not necessarily exhaustive. Each model shares the essential phases of quality representative deliberative processes: learning, deliberation, and the development of collective recommendations. This highlights document provides an overview of the different models; full details are available in the accompanying report.
To illustrate the workings of a representative deliberative process, the Citizens’ Jury/Panel model is described here, given it is the most popular model. All other models are detailed in the full report.

Processes that have taken place over consecutive days:

The Citizens’ Jury was developed in the United States by Ned Crosby and the Je in 1971. The initial design and implementation is a rigid model and cause some of the many processes labelled as Citizens’ Juries/Panels elsewhere. Other countries do not follow the same criteria of the initial model in design and characteristics of these Citizens’ Juries and Panels. They are usually smaller than the US models and are run between 12 to 24 people – and run three to six days consecutively (Center). While this approach was first developed in the United States (US), it has been adapted in other places, including Canada, Denmark, France, Korea and the UK.

![Figure 2: Citizens’ Jury/Panel Model](image)

### Table: Models of Representative Deliberative Processes

<table>
<thead>
<tr>
<th>Policy questions</th>
<th>Number of times used to process (panels)</th>
<th>Use by countries</th>
<th>Result</th>
<th>Average time of policy questions</th>
<th>Average length from first to last meeting</th>
<th>Average length of meetings</th>
<th>Average number of participants</th>
</tr>
</thead>
<tbody>
<tr>
<td>Detailed, collective recommendations</td>
<td>6 (6)</td>
<td>CAN, IRL</td>
<td>Electoral reforms, institutional setup, constitutional questions</td>
<td>18.8 days</td>
<td>47 weeks</td>
<td>18.8 days</td>
<td>90</td>
</tr>
<tr>
<td>Collective recommendations</td>
<td>115 (18)</td>
<td>AUT, AUS, BEL, CAN, FRA, POL, ESP, GBR, USA</td>
<td>Broad range of topics. Most common: infrastructure, health, urban planning, environment</td>
<td>4.1 days</td>
<td>5 weeks</td>
<td>4.1 days</td>
<td>34</td>
</tr>
<tr>
<td>Collective position report/citizens report</td>
<td>23 (40)</td>
<td>DEU, JAP</td>
<td>Ongoing processes mandated to provide input on various questions when public authority is in need of decision</td>
<td>4.1 days</td>
<td>7 weeks</td>
<td>4.1 days</td>
<td>35</td>
</tr>
<tr>
<td>Collective recommendations</td>
<td>90 (126)</td>
<td>CAN</td>
<td>New technology, environment, health</td>
<td>11 days</td>
<td>2 years</td>
<td>11 days</td>
<td>32</td>
</tr>
<tr>
<td>Collective recommendations</td>
<td>19 (19)</td>
<td>AUS, AUT, DNK, FRA, NOR, GBR</td>
<td>Most common use for urban planning, but also other topics</td>
<td>4.0 days</td>
<td>2 weeks</td>
<td>4.0 days</td>
<td>16</td>
</tr>
<tr>
<td>Collective position report/citizens report</td>
<td>57 (247)</td>
<td>DEU, JAP</td>
<td>Environment issues on a global scale</td>
<td>3.2 days</td>
<td>0 weeks</td>
<td>3.2 days</td>
<td>24</td>
</tr>
<tr>
<td>Collective recommendations</td>
<td>38 (112)</td>
<td>Globally</td>
<td>Various topics, often several addressed at once</td>
<td>148</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Collective statement of key facts</td>
<td>38 (112)</td>
<td>Globally</td>
<td>Various topics, most common: environment, strategic planning</td>
<td>14</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Collective recommendations</td>
<td>14 (15)</td>
<td>ARG, ITA, JAP, USA, KOR, MNG, CHN, BRA</td>
<td>Various topics</td>
<td>1.6 days</td>
<td>0 weeks</td>
<td>1.6 days</td>
<td>226</td>
</tr>
<tr>
<td>Collective position report/citizens report</td>
<td>4 (150)</td>
<td>Globally</td>
<td>Leadership issues on a global scale</td>
<td>1 day</td>
<td>0 weeks</td>
<td>1 day</td>
<td>120</td>
</tr>
<tr>
<td>Collective recommendations</td>
<td>20 (15)</td>
<td>USA</td>
<td>Various topics</td>
<td>22</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Collective recommendations</td>
<td>2 (2)</td>
<td>BEL</td>
<td>Mandate to set the agenda and initiate citizens’ panels</td>
<td>49</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Collective position report/citizens report</td>
<td>1 (1)</td>
<td>ESP</td>
<td>Mandate to evaluate citizen proposals and suggest them for referenda</td>
<td>8 days</td>
<td>1 year</td>
<td>8 days</td>
<td>49</td>
</tr>
</tbody>
</table>

### Table: Recommendations on policy questions

<table>
<thead>
<tr>
<th>Case</th>
<th>Description of proposal stage</th>
<th>Language of hearings</th>
<th>Number of weeks</th>
<th>Number of days</th>
<th>Countries</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>processes that have taken place over consecutive days;</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>processes where meeting days are spread out over numerous weeks, and</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>ongoing panels over much longer periods of time (e.g. two years).</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Figure 1. Models of Representative Deliberative Processes**

- **Processes that have taken place over consecutive days**
- **Processes where meeting days are spread out over numerous weeks, and**
- **Ongoing panels over much longer periods of time (e.g. two years).**

### Figure 2: Citizens’ Jury/Panel Model

Face-to-face meetings for 4.1 days over 5 weeks (on average)

- **Learning stage**
  - Random selection of 34 citizens on average
  - Learning stage
    - Stakeholder hearings
    - Hearings of the public
  - Consultation stage
    - Discussing evidence
    - Assessing options
    - Improving facilities
  - Decision making stage
    - Agreeing on the final set of recommendations

For ongoing processes: face-to-face meetings for 11 days over 2 years

- **Mandate to set the agenda and initiate citizens’ panels**
- **Mandate to evaluate citizen proposals and suggest them for referenda**

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**EXAMPLE: CITIZENS’ JURY/PANEL**

Processes that have taken place over consecutive days:

The Citizens’ Jury was developed in the United States by Ned Crosby and the Je in 1971. The initial design and implementation is a rigid model and cause some of the many processes labelled as Citizens’ Juries/Panels elsewhere. Other countries do not follow the same criteria of the initial model in design and characteristics of these Citizens’ Juries and Panels. They are usually smaller than the US models and are run between 12 to 24 people – and run three to six days consecutively (Center). While this approach was first developed in the United States (US), it has been adapted in other places, including Canada, Denmark, France, Korea and the UK.
processes called Reference Panels. Originated in Canada, pioneered by MASS LBP, evolved from the Citizens’ Assemblies in Canada and Ontario in the late 2000s. At the local and regional levels, a G1000 or a Citizens’ Council can be reasonable options for residents to develop a collective vision for a municipality and to address less complex community problems, as they are more open-ended and flexible formats. On the other hand, if decision makers desire specific, informed recommendations for a pressing policy problem, then they need to clearly define the task for participants.

FIGURE 3. PROPERTIES OF REPRESENTATIVE DELIBERATIVE MODELS

At the local and regional levels, a G1000 or a Citizens’ Council can be reasonable options for residents to develop a collective vision for a municipality and to address less complex community problems, as they are more open-ended and flexible formats. On the other hand, if decision makers desire specific, informed recommendations for a pressing policy problem, then they need to clearly define the task for participants.

TABLE 3. PROPERTIES OF REPRESENTATIVE DELIBERATIVE MODELS

<table>
<thead>
<tr>
<th>Informed citizen recommendations on policy questions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Citizens’ Assembly</strong></td>
</tr>
<tr>
<td><strong>Citizens’ Jury/Panel</strong></td>
</tr>
<tr>
<td><strong>Consensus Conference</strong></td>
</tr>
<tr>
<td><strong>Planning Cell</strong></td>
</tr>
<tr>
<td><strong>Citizen opinion on policy questions</strong></td>
</tr>
<tr>
<td><strong>G1000</strong></td>
</tr>
<tr>
<td><strong>Citizens’ Council</strong></td>
</tr>
<tr>
<td><strong>Citizens’ Dialogues</strong></td>
</tr>
<tr>
<td><strong>Deliberative Poll/Survey</strong></td>
</tr>
<tr>
<td><strong>World Wide Views</strong></td>
</tr>
<tr>
<td><strong>Informed citizen evaluation of ballot measures</strong></td>
</tr>
<tr>
<td><strong>Citizens’ Initiative Review</strong></td>
</tr>
<tr>
<td><strong>Permanent deliberative bodies</strong></td>
</tr>
<tr>
<td><strong>The Ostbelgien Model</strong></td>
</tr>
<tr>
<td><strong>City Observatory</strong></td>
</tr>
</tbody>
</table>

—

Other important considerations include available time and resources, government, and policy area. For example, the Consensus Conference model to assess technological advancement allows citizens to question and policy makers extensively on the properties of each model to date.
OVERVIEW OF KEY TRENDS

REPRESENTATIVE DELIBERATIVE PROCESSES ARE LARGELY TAKING PLACE IN OECD COUNTRIES

THE DELIBERATIVE WAVE HAS BEEN BUILDING OVER TIME

REPRESENTATIVE DELIBERATIVE PROCESSES HAVE BEEN USED AT ALL LEVELS OF GOVERNMENT

THE CITIZENS’ JURY/PANEL IS THE MOST OFTEN USED MODEL

REPRESENTATIVE DELIBERATIVE PROCESSES HAVE BEEN COMMISSIONED FOR A WIDE RANGE OF POLICY ISSUES

The cases that the OECD has collected in this report are from the countries in Figure 4. This figure is not a ranking, nor is it representative of all the cases in a country. It is a graphic representation of the number of cases that the OECD has collected. The countries with the largest number of cases are also those in which a number of the deliberative models were initiated: the Planning Cell originates in Germany, the Citizens’ Assembly in Canada, and the Consensus Conference in Denmark.

**Figure 4. Number of Representative Deliberative Processes Per Country**

![Bar chart showing the number of deliberative processes by country](chart.png)

Note: n=282. Data for OECD countries is based on 18 OECD countries that were members in 2019 plus the European Union. Source: OECD Database of Deliberative Processes and Institutions (2020).
Deliberative processes have been carried out at all levels of government, and have popular on the local level (% of per cent have been commissioned in the period of 2016-2019 (Figure 5).

Representative deliberative processes at all levels of government, 1986-2019

The Citizens’ Jury/Citizens’ Panel is the most widely used model of representative deliberative process to date (used times, % of all cases). Other shorter processes such as the Planning Cell (57 times), Citizens’ Dialogues (38 times), Consensus Conferences (19 times), and Citizens’ Councils (14 times) have also been used quite extensively. Longer, more complex models such as the Citizens’ Assembly (six times international processes that require co-ordination efforts such as World Wide Web (four times) have been employed. New, innovative, institutionalised deliberative processes that have only started emerging recently – such as the Ostbelgien model and Madrid City Observatory – took place.

The Deliberative Wave has been building over time.

Conferences in Denmark. Since 2011, the number of deliberative processes has been steadily increasing. Between 2011 and 2019, there have been 177 deliberative processes in total with an average of 25 processes per year in the period of 2016-2019 (Figure 5).

The Deliberative Wave has been building over time.

Total number of deliberative processes per year, 1986 – October 2019

The Deliberative Wave has been building over time.

Note n=282; Data for OECD countries is based on 18 OECD countries that were members in 2019 plus the European Union. Source: OECD Database of Representative Deliberative Processes and Institutions (2020).

The Citizens’ Jury/Panels have been used most often by public authorities for public decision making.

The Citizens’ Jury/Panels have been used most often by public authorities for public decision making.

Total number of times each deliberative model has been used for public decision making

THE CITIZENS’ JURY/PANEL IS THE MOST OFTEN USED MODEL OF DELIBERATIVE PROCESS

The Citizens’ Jury/Citizens’ Panel is the most widely used model of representative deliberative process to date (used 115 times, 42% of all cases). Other shorter processes such as the Planning Cell (57 times), Citizens’ Dialogues (38 times), Consensus Conferences (19 times), and Citizens’ Councils (14 times) have also been used quite extensively. Longer, more complex models such as the Citizens’ Assembly (six times international processes that require co-ordination efforts such as World Wide Web (four times) have been employed. New, innovative, institutionalised deliberative processes that have only started emerging recently – such as the Ostbelgien model and Madrid City Observatory – took place.

FIGURE 6. REPRESENTATIVE DELIBERATIVE PROCESSES HAVE BEEN USED MOST OFTEN LOCALLY, THOUGH EXAMPLES EXIST AT ALL LEVELS OF GOVERNMENT

Representative deliberative processes at all levels of government, 1986-2019

FIGURE 7. THE CITIZENS’ JURY/PANEL HAS BEEN USED MOST OFTEN BY PUBLIC AUTHORITIES FOR PUBLIC DECISION MAKING

Total number of times each deliberative model has been used for public decision making
The range of policy issues addressed using representative deliberative processes has been wide and increasing (Figure 10). The issues that are embarked upon most often are those that have a direct impact on citizens’ everyday lives and those to which citizens can easily contribute their personal opinions and experiences: urban planning and health. Local and regional/state level representative deliberative processes are commonly concerned with urban and strategic planning, infrastructure, and health questions. National and international ones are most often about environment and technology policy issues.
HOW A REPRESENTATIVE DELIBERATIVE PROCESS IS DESIGNED AND RUN, AND THE IMPACT THAT IT HAS ON POLICY AND THE WIDER PUBLIC ARE ALL QUESTIONS THAT ARISE WHEN DETERMINING WHETHER IT HAS BEEN A SUCCESS. DRAWING ON THE NEW EMPIRICAL COMPARATIVE RESEARCH COLLECTED BY THE OECD AND WIDER THEORETICAL RESEARCH ON DELIBERATION, THIS CHAPTER SEeks TO ASSESS THE DIFFERENT APPROACHES AND DESIGNS OF DELIBERATIVE PROCESSES.

Nabatachi et al. (2012) have outlined evaluation principles for the practice and impact of deliberative civic engagement, covering four aspects. The OECD draws inspiration from this framework for analysis, adapted to the specific focus on representative deliberative processes and the type of data collection that was feasible for this report (see Figure 11):

FIGURE 11. FRAMEWORK OF ANALYSIS FOR REPRESENTATIVE DELIBERATIVE PROCESSES

1. **Design integrity**: the procedural criteria which ensure that a process is perceived as fair by the public and in line with principles of good practice.
   - Scope of the remit
   - Random selection methods
   - Duration
   - Commitment by decision makers

2. **Sound deliberation**: the elements that enable quality deliberation that results in public judgement.
   - Information and learning
   - Facilitation
   - Decision making of representative deliberative processes

3. **Influential recommendations and actions**: the evidence of impact on public decision making.
   - Process outputs
   - Response to recommendations
   - Implementation of recommendations
   - Monitoring and evaluation

4. **Impact on the wider public**: the secondary and long-term effects on public learning and attitudes.
   - Public communication for public learning
   - Combining participatory methods with representative deliberative processes
commonly used random selection processes include single-stage random selection (22%) and a mix of random and targeted selection of hard-to-reach groups (4%).

When stratifying the final sample of citizens, all deliberative processes select participants according to demographic selection criteria that matches the general makeup of the wider population (such as that available in a census), and usually includes at least four criteria: gender, age; geographic, and socioeconomic factors (a variable that captures disparity in income and education levels). While demographic stratification is enough to ensure diversity and representativeness, in some circumstances it may not be enough to ensure credibility, requiring discursive or attitudinal representation as well.

Two-stage random selection has been the most common random participant selection method for representative deliberative processes (59%). Random selection (stages unclear) is used in 15% of cases, and a mix of random and targeted selection in 4%. It's important to note that the impact of remuneration on some participants' social security benefits should be a consideration.

Remuneration of participants of representative deliberative processes for public decision making, 1986-2019

Remuneration of participants of representative deliberative processes for public decision making, 1986-2019

In the 172 cases for which the extent of remuneration is known, participants are compensated in one way or another. In about 57% of the cases, the remuneration is paid in the form of payment. In a small number of cases, transport costs are covered (43%); remuneration in 43% of deliberative processes there is in the form of payment. In a small number of cases, transport costs are covered (6%). The rationale for non-remuneration is that participation in a deliberative process activates a civic responsibility towards democracy. In many cases, it is equally driven by budgetary constraints. As the data in this study does not contain the response rates of different demostructures, it is not possible to draw conclusions regarding the impact of remuneration on the decision to participate. Other factors that payment does encourage is that generally do not participate, notably young people and those with low incomes (newDemocracy Foundation and UN Democracy Fund, 2019: 150).

FIGURE 13. PARTICIPANTS IN REPRESENTATIVE DELIBERATIVE PROCESSES RECEIVE SOME FORM OF REMUNERATION OF EXPENSES COVERAGE IN SLIGHTLY MORE THAN HALF OF CASES

Remuneration of participants of representative deliberative processes for public decision making, 1986-2019

Note N=172. Data for OECD countries is based on 35 OECD countries that were members in 2019 (Australia, Austria, Belgium, Canada, Czech Republic, Denmark, Estonia, France, Germany, Ireland, Korea, Netherlands, Poland, Spain, United Kingdom and United States). Data for the European Union and Global are included.
Learning is one of the key elements of a deliberative process. Deliberation requires access to information, which reflects a diversity of perspectives. For participants to be able to have discussions over a specific policy issue and reach informed decisions on recommendations, 
stage is essential to any deliberative participation model. It is also why time is a crucial successful process, as discussed in the previous section.

The learning stage tends to include: inviting issue experts to present and answer questions in meetings (79%), providing introductory reading material before the first meeting (48%), field trips (43%); the right for participants to request information and evidence from stakeholders, and experts (35%), and providing participants with clear and extensive reading between meetings (31%).

<table>
<thead>
<tr>
<th>TABLE 2: CITIZENS’ ASSEMBLIES, CITIZENS’ INITIATIVE REVIEWS, AND CITIZENS’ JURIES/PANELS INVOLVE THE MOST FACE-TO-FACE PARTICIPANT MEETING TIME</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Average duration of face-to-face meetings (in days)</strong></td>
</tr>
<tr>
<td>Informed citizen recommendations on policy questions</td>
</tr>
<tr>
<td>Five days</td>
</tr>
<tr>
<td>Three days</td>
</tr>
<tr>
<td>Four days</td>
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<tr>
<td>Ten days</td>
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<tr>
<td>Six days</td>
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<tr>
<td>Two days</td>
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<tr>
<td>Citizen opinion on policy questions</td>
</tr>
<tr>
<td>Five days</td>
</tr>
<tr>
<td>Three days</td>
</tr>
<tr>
<td>Six days</td>
</tr>
<tr>
<td>Informed citizen evaluation of ballot measures</td>
</tr>
<tr>
<td>Five days</td>
</tr>
</tbody>
</table>

There are two key aspects of information sources: 1) diversity of information and 2) importance of giving citizens control. The independent team responsible for designing and organising the deliberative process chooses the experts and informational material. Having a wide breadth ensures that participants encounter and consider different points of view. The type of information provided also matters in terms of public perceptions of fairness (i.e. this cannot be government brochures highlighting their successes or arguing for certain solutions).
A key difference between representative deliberative processes and other forms of citizen participation is that the outcome is not many individual views, but a collective and considered view. Citizens are tasked with finding common ground on the recommendations they provide to public decision makers. At the end of a deliberative process, the citizens' recommendations are delivered to the public authority.

At the end of a deliberative process, the citizens' recommendations are delivered to the commissioning public authorities. Participants sometimes accept or amend the proposals of experts from whom they hear, particularly when it comes to more technical proposals. The good practice principle is that the participants should have control of the recommendations. Once the final recommendations are delivered to the public authority, it is their responsibility to act. In a representative democracy, there is no expectation that the authority is obliged to accept all recommendations. The responsibility to respond and to provide a rationale for accepting or rejecting proposals.

In two thirds (66%) of example cases, the public authority discussed the final recommendations face-to-face with participants. In four in ten (42%) cases, the public authority communicated a public response to the recommendations through government channels (such as written, TV, and traditional media) in addition to face-to-face with the participants. In one quarter (24%) of the cases, the public authority discussed the final recommendations face-to-face with participants in addition to public response.

Note: n=103; Data for OECD countries is based on 12 OECD countries that were members in 1986-2019. (Australia, Austria, Belgium, Canada, France, Germany, Korea, the Netherlands, United Kingdom and United States) plus the European Union and Global. From Gerwin, 2018; Data for non-OECD countries is based on 13 non-OECD countries that were members in 1986-2019. (Argentina, Brazil, Chile, Colombia, Costa Rica, Cuba, Ecuador, Egypt, Hungary, India, Indonesia, Korea, Peru) plus the European Union and Global. From Gerwin, 2018.

PARTICIPANT RECOMMENDATIONS AND THEIR IMPLEMENTATION

FIGURE 15. IN TWO-THIRDS OF CASES, PUBLIC AUTHORITIES DISCUSS PARTICIPANTS' RECOMMENDATIONS FACE-TO-FACE WITH THEM

Response of public authorities to the recommendations produced during representative deliberative processes for public decision making, 1986-2019

<table>
<thead>
<tr>
<th>Response Type</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Direct follow-up with participants in addition to public response</td>
<td>24%</td>
</tr>
<tr>
<td>Public response to recommendations (e.g., written, TV, government channels)</td>
<td>42%</td>
</tr>
<tr>
<td>Final recommendations discussed face-to-face with participants</td>
<td>0% to 60%</td>
</tr>
</tbody>
</table>

Note: n=103; Data for OECD countries is based on 12 OECD countries that were members in 1986-2019 (Australia, Austria, Belgium, Canada, France, Germany, Korea, the Netherlands, United Kingdom and United States) plus the European Union and Global. From Gerwin, 2018; Data for non-OECD countries is based on 13 non-OECD countries that were members in 1986-2019. (Argentina, Brazil, Chile, Colombia, Costa Rica, Cuba, Ecuador, Egypt, Hungary, India, Indonesia, Korea, Peru) plus the European Union and Global. From Gerwin, 2018.
The limited impact data suggest that when presented with informed and considered proposals, public authorities are likely to act on them, as they include sensible recommendations that can lead to more effective public policies. More data is needed for this to be a robust conclusion, but it sheds some preliminary light on an issue that is much discussed and of great importance.

With effective public communication, a deliberative process can be a mechanism for the broader public to learn about an issue as well as encourage it to participate more in public life in general. Empirical research has also shown that strong public communication about representative deliberative processes can be a tool to help counteract disinformation and polarisation related to the issue being discussed.

Representative deliberative processes are not typically used in isolation, and are rather a central part of a wider strategy of citizen participation around a specific policy issue (Figure 16). The most common types of stakeholder participation that are used in conjunction with deliberative processes are online calls for proposals/submissions (used in 33 cases), surveys (29 cases), public consultations (19 cases) and roundtable discussions (16 cases).

FIGURE 16. REPRESENTATIVE DELIBERATIVE PROCESSES ARE MOST FREQUENTLY COMPLEMENTED BY OPEN SUBMISSIONS, SURVEYS AND PUBLIC CONSULTATIONS

| Frequency of different types of stakeholder participation processes used in conjunction with representative deliberative processes for public decision making, 1996-2019 |
|---|---|---|---|---|---|
| Pop-up information meetings | Town hall meetings | Opening events | Focus groups | O&A with participants | Public debates |
| Number of cases | 6 | 6 | 5 | 2 | 2 |
| Advisory committees | Citizens' grids | Public consultations | Roundtable discussions | Online forums | Citizen interviews |
| Number of cases | 6 | 3 | 10 | 16 | 8 |
| Public consultation reports | Citizens' summaries | Public consultation reports | Roundtable discussions | Online forums | Citizen interviews |
| Number of cases | 19 | 10 | 10 | 8 | 7 |
| Call for submissions/proposals | Surveys online/offline | Online calls for proposals | Open calls for submissions | Online calls for submissions | Online calls for submissions |
| Number of cases | 29 | 16 | 19 | 10 | 8 | 7 |

Note: Data is from 106 deliberative processes in 15 OECD countries (Australia, Austria, Belgium, Canada, Denmark, Estonia, France, Germany, Japan, Netherlands, Poland, Korea, Spain, and the United Kingdom) plus the European Union, between 1996 and 2019.

Source: OECD Database of Representative Deliberative Processes and Institutions (2020).
This section discusses the reasons towards institutionalising representative deliberative processes, it provides a database of 289 examples, and there are many others underway. During this time, there has been a great deal of experimentation with different models and design choices, as well as with various connections to representative direct democracy. However, two notable commonalities between most examples to date are their one-off nature and that their topics have been decided and defined top-down by public decision makers. There are only 14 examples of institutionalised practices.

DEFINING INSTITUTIONALISATION

There are two aspects to the meaning of institutionalisation: legal and cultural. Together, they touch on the requirements for sustained change.

Institutionalising deliberation in democratic politics and policy making means incorporating deliberative activities into the rules of public regulatory framework to ensure that they continue regardless of political change.

Institutionalisation also has a cultural dimension. It can refer to regular processes that are maintained and sanctioned by social norms (Abercrombie, 1988), which are important in ensuring their continuity.

EU Citizens’ Dialogue, The Hague, 17 May, 2019
WHY INSTITUTIONALISE?

Representative deliberative processes and decision-making procedures can bring about new opportunities for participation and voice. It is possible to:

1. Take more hard decisions:
   Institutionalising representative deliberative processes can help communities address challenging problems that the government is not able to solve on its own. Involving citizens makes it easier to identify community priorities and overcome resistance of interest groups and intra- and inter-party divisions, enabling action on difficult but necessary policy decisions.

2. Conduct better deliberative processes and less expensively:
   Institutionalisation can make it easier to prepare processes, documents, and materials. This in turn makes high quality deliberative processes more inclusive, expensive, and less vulnerable to loss of public interest when governments take power. It also enables more effective and efficient deliberation and makes it easier to conduct, less expensive, and less vulnerable to loss of public interest when governments take power. It also enables more effective and efficient deliberation and decision making.

3. Strengthen the civic capacity of citizens and organisations:
   Institutionalisation extends and embeds the privilege of representation among the broader range of people. The act of representing others is itself a skill and form of fitness that deserves to be extended and cultivated by more people. It means that a larger proportion of society has the opportunity to serve their communities and experience the complexity of public decision making, and to strengthen their agency and efficacy.

THREE ROUTES TO INSTITUTIONALISING PUBLIC DELIBERATION

There is no 'one-size-fits-all' approach, nor a single 'best' design to institutionalise. Three exist to consider diverse roadmaps to embedding public deliberation, with various aims.

Three existing routes to institutionalisation are examined: the establishment of a permanent or ongoing deliberative structure for representative citizen deliberation; the establishment of requirements for governments to organise representative deliberative processes under certain conditions; and the establishment of rules allowing citizens to demand a representative deliberative process on a specific issue.

1. A permanent or ongoing deliberative structure

   One route to institutionalisation is to create a permanent or ongoing deliberative structure that complements the existing institutions of representative decision making. As of early 2020, permanent or ongoing deliberative bodies have roles that include agenda-setting, oversight, providing ongoing informed input about a particular public policy issue, and similar responsibilities to those of parliamentary select committees. These include:

   - The Metrolinx Regional Planning and Transportation Advisory Council (GTHA)
   - The City Observatory of Madrid
   - The mixed deliberative committee of Parliament of the Regional Government of Andalusia
   - The mixed deliberative committee of the French-speaking Parliament of Belgium
   - Goulburn Valley Water Advisory Committee
2. Requirements for a public authority to organise a representative deliberative process under certain conditions

Another route to institutionalisation has been to establish requirements for a public authority to organise a representative deliberative process under certain conditions. Examples include:

- The Citizens’ Initiative Review, where a randomly selected group of citizens prepares a collective statement about significant information about a proposed ballot measure. This statement is circulated to all households in their voters’ pamphlet.

- The 2011 French law on bioethics, which institutionalises the legal right to demand a public body to organise a representative deliberative process on a specific issue if the number of signatures meet a specified threshold. Examples include:

- Deliberative Polls, which have been used to inform public decision making.

- Deliberative Polling Law, which sets out that the Regional parliament is required to debate and respond to recommendations developed by the Citizens’ Panels. The implementation of this recommendation involves citizens able to demand a public body to organise a representative deliberative process on a specific issue if the number of signatures meet a specified threshold. Examples include:

- The Ostbelgien Model, which institutionalises the obligation of the National Consultative Committee (CNE) and the Parliament of the German-speaking community to organise public deliberation on a policy aministration or regulation. The Ostbelgien model is the only model that stipulates that citizens are able to demand a public body to organise a representative deliberative process on a specific issue if the number of signatures meet a specified threshold. Examples include:

- Municipal laws in two cities – Yoshikawa and Aichi, which institutionalise Citizens’ Council meetings as a formal method for any changes to the local government's agenda and providing citizens with the framework and tools to actively participate in policy making.

- The 2013 amendments to the Austrian Constitution to allow citizens to order local government to organise a representative deliberative process, including deliberative processes, by collecting signatures supporting their initiative. The threshold varies by city, with 5,000 in Gdansk, 8,000 in Krakow, 10,000 in Lublin, and 10,000 in Poznan. City councils may also set a higher threshold.
Based on the extensive international data collected for this report, numerous proposals for improving how representative deliberative processes are initiated, designed, run, communicated, monitored, evaluated, and institutionalised can be identified:

1. Public authorities should follow the Good Practice Principles for Deliberative Processes for Public Decision Making.

   All good practice principles are required to achieve good representative deliberative processes that result in useful recommendations for the commissioning public authorities and a meaningful opportunity for citizens to participate in shaping public decisions.

   The combination needs to be designed in a sequenced way where it is clear how this broader participation feeds into the deliberative process; and they all feed into better decision making.

   Often this means that stakeholder participation takes place at the beginning of the process, its outputs become part of the evidence base for the representative group, and participants in the deliberative process.

   For instance, there is usually an open call for submissions of evidence from stakeholders, which can include businesses, academics, advocacy groups, unions, and other actors. Sometimes there are public meetings or roundtable discussions between sessions of the deliberative process, where the participants themselves lead the discussions with the public.

   Such methods extend participation to the broader public and allow community engagement.

2. Representative deliberative processes for public decision making should be used in conjunction with other participation methods as part of a broader public participation strategy.

   Deliberative processes can be seen as a component of broader stakeholder participation, such as public survey consultations, town hall meetings, and roundtable discussions.

   The combination of methods enables a comprehensive approach to public participation, ensuring that different perspectives are heard and that meaningful participation is achieved.
Information about the representative deliberative process should be transparent and made available to the public.

It should be easy for citizens and the media to find information regarding the purpose, design, methodology, and details about how people were recruited, which experts participants heard from, how the experts were chosen, and how the citizens' recommendations were developed. This has an impact on people's confidence in and their perceptions of the legitimacy of the process.

Public communication should be leveraged to increase opportunities for public learning, to inform the public about the process, evidence presented, outcomes, and implementation, and to encourage greater citizen participation.

Authorities should ensure that the 'feedback loop' to maintain the relationship with citizens in between one-off deliberative processes. Once the experts' final recommendations are delivered to the public, it is the authority's responsibility to respond and explain the rationale for accepting or rejecting any proposals.

Demonstrating to citizens that when they participate, their proposals are taken seriously and it is worth their time can also help to encourage greater citizen participation in other forms and on other policy issues.

The appropriate legal and/or regulatory changes should be enacted to support the institutionalisation of representative deliberative processes for public decision making.

Governments should consider drafting pieces of legislation or regulations that introduce a requirement for a deliberative process under certain conditions, and to allow citizens to initiate a deliberative process if they gather enough signatures. For accountability, there should be a provision that states that above a certain threshold, public decision makers are not able to ignore the petition.

Beyond legal changes to establish rules or requirements for public deliberation, there are additional legal support issues that need to be addressed to make organising deliberative processes easier, less costly, and to result in better outcomes.

Legislation and regulation should be adapted so that the most complete databases that exist can be used for the random selection procedure to ensure that the largest number of people possible have a fair chance of being selected to participate at the outset. These should be considered in light of overarching personal data protection rules, such as the European Union's General Data Protection Regulation (GDPR).

A next step would be for employers to provide paid leave to participate in a deliberative process, as is the case for criminal juries.

If citizens' time and inputs into policy making are valued, then it is important to compensate their time and ensure they feel their participation is valued and has an impact.
institution to be possible, public authorities should invest to ensure sufficient civil service and civil society to commission and deliver representative processes, as well as sufficient funding.

Could either establish an office permanently in charge of deliberative processes (of Excellence on Deliberative Democracy) or an office with a broader remit focus on deliberative processes (such as the Open Government office or a “Centre Deliberative and Participatory Democracy”).

Could be funded by government, but at arm’s length to stay unbiased and impartial civil society organisations (CSOs) or universities conduct the remit of such an office:

- Standards of good practice for processes for public decision making that are adapted to the context.
- Important to avoid corruption of the procedures.
- An office or agency with the goal of maintaining the integrity of the process can enhance its legitimacy and effectiveness.
- Documented good and professional staff allow decision makers to remain impartial and free of partisan politics;

- Decision makers understanding the uses of citizen involvement in their work;

- Knowledge in the government institutions more broadly.

- Civil servants to be smart policy wonks and neutral hosts. There should be a clear delineation of functions: those who initiate the process; those who organise and run it, and those who supervise it;

- Ongoing monitoring and evaluation of deliberative processes and their impact to ensure feedback opportunities (for which good practice is important).

- Regularly reporting findings from deliberative processes to government and parliament to ensure the cumulative benefit of deliberative processes are related to the parliamentary or government cycles.


Further Resources

Throughout this report, there are references to various useful resources for more information on the topics covered.
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