# Public Participation
## Felix Uhlmann

**International Conference on Public Participation in Legislative Law-making for a Stronger Democracy**

Faculty of Law Universitas Indonesia
in collaboration with The International
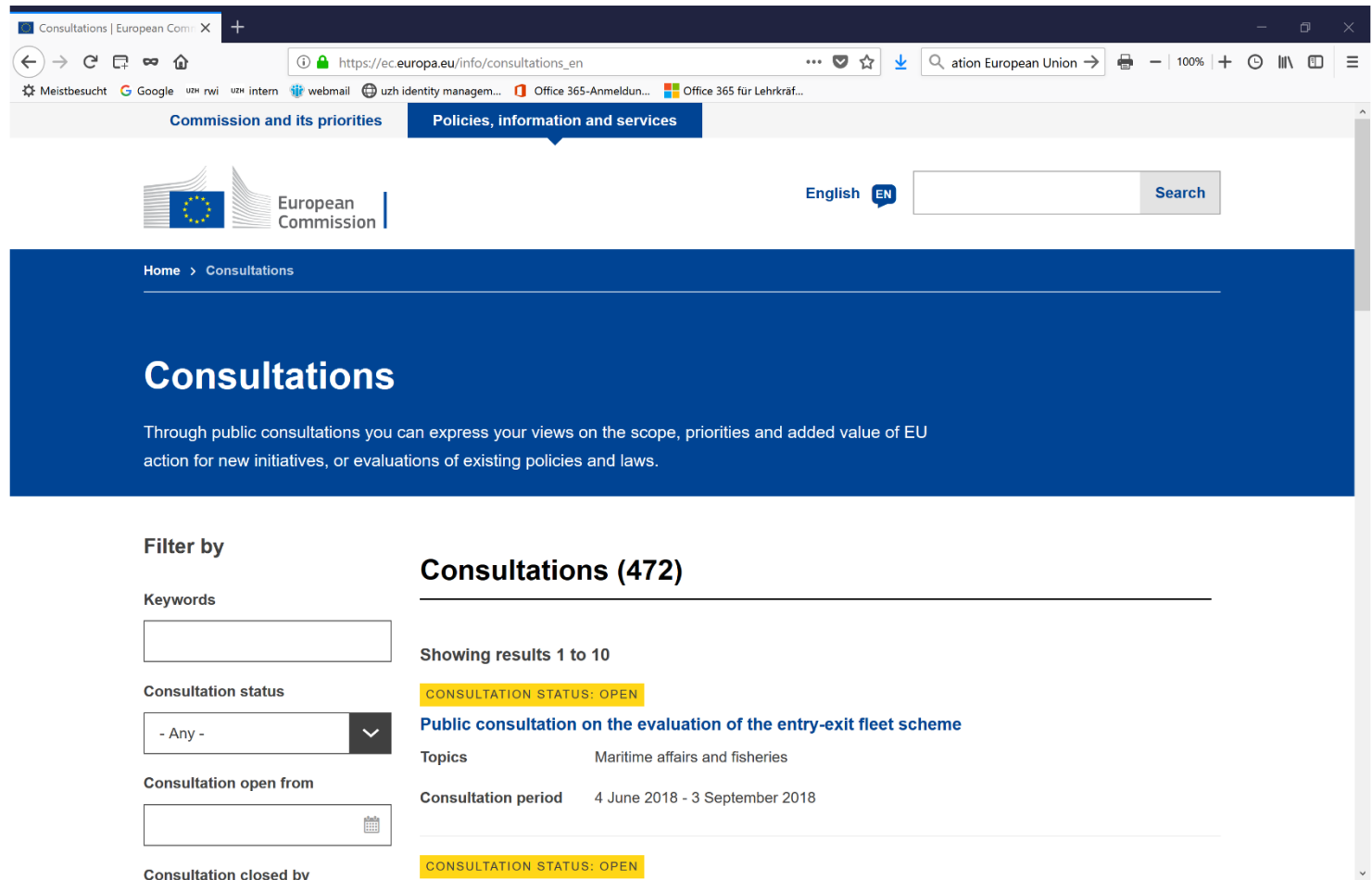Association of Legislation (IAL)

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University of Zurich UZH

# Public Participation

## 1. Forms

# Public Participation

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# Public Participation

## 2. Legal Basis (Switzerland)

**Federal Act
on the Consultation Procedure
(Consultation Procedure Act, CPA)**

of 18 March 2005 (Status as of 1 April 2016)

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**Art. 2**        Purpose of the consultation procedure

[1] The consultation procedure has the aim of allowing the cantons, political parties and interested groups to participate in the shaping of opinion and the decision-making process of the Confederation.

[2] It is intended to provide information on material accuracy, feasibility of implementation and public acceptance of a federal project.

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# Public Participation

3. Functions

**Participation (Functions)**

- **Information** and Transparency

- Legitimacy

- Political Feasibility

- Fact Finding

- Implementation and Practicability

- Drafting

# Participation

## 4. Characteristics

**Participation (Characteristics)**

- The object of participation is a draft law.

- Participation has no binding effect on government.

- The typical participants are private individuals.

- Participation is a formalized process.

- There is no standard format for participation.

- Participation is not an opinion poll.

- Participation is not an expert opinion.

- Participation is not lobbying.

# Participation

5. Lessons (from a Swiss perspective)

**Lessons**

-   Accept criticism

-   Take respondents seriously

-   Give respondents time

-   Be patient that respondents will learn the process

-   Find the ideal timing for public consultation in the legislative process

-   Consider resources (and alternatives)

# Participation

## 6. The Future?



**Large-Scale Political Participation: Issue Identification, Deliberation, and Co-creation**

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https://d3-project.ch/              https://data.snf.ch/grants/grant/205975

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