

# STRENGTHENING DEMOCRACY THROUGH MORE PARTICIPATORY, RESPONSIVE AND TRANSPARENT RULE-MAKING

14th OECD Conference on  
Measuring Regulatory Performance

19–20 September 2023, Helsinki, Finland

# Agenda

Social and geopolitical tensions, coupled with recent economic and health crises, and exacerbated by the effects of climate change, have significantly disrupted the way society operates. The fallout has resulted in increased isolation, polarisation and distrust, and worsened social and economic disparities. One main lever to address the current difficulties faced will be to regulate. Therefore, how rules are made has profound implications for achieving government aims.

Stakeholders are central to governments successfully addressing the current challenges. They can highlight specific impacts, identify issues, and provide alternate means to solve policy problems. These all have strong links to eventual policy outcomes. Governments need to come forward and engage with all affected stakeholders, not merely a select few, to design better policies. Broad engagement also boosts trust – both in terms of the rule-making process, and in any resultant rules which are more likely to be complied with.

The OECD Measuring Regulatory Performance Conference series exists to advance regulatory policy and discuss innovative ways to find concrete solutions to existing problems. The 14th Conference, hosted by Finland, will identify more participatory, responsive and transparent approaches to rule-making and how they can lead to enhanced trust in government action.

Monday 18 September

18:30-19:30 Informal networking of conference participants at the conference hotel  
[Restaurant 10. Kerros (10th floor)] (on a self-paying basis)

14th OECD Conference on Measuring Regulatory Performance  
Strengthening democracy through more participatory,  
responsive and transparent rule-making

Day 1 - 19 September 2023

Parliament of Finland

Conference Chair: Stephan Naundorf (OECD Regulatory Policy Committee Chair)

Open sessions

**08.00 – 09.00** *Conference registration. A welcome coffee will be served outside the room. Participants are kindly asked to be seated by 08.45.*

**09.00 – 09.05** **Welcome to the Finnish Parliament**

*Speaker: Secretary General Maija-Leena Paavola*

**09.05 – 09.20** *Conference opening remarks*

*Speaker: Permanent Secretary of the Ministry of Justice Pekka Timonen*

**09.20 – 09.30** *OECD opening remarks*

*Speaker: OECD Public Governance Deputy Director Gillian Dorner*

**09.30 – 11.00** *Panel 1: Reflections on participatory, responsive and transparent rule-making in Finland*

*Session objective*

*Identify challenges and opportunities in participatory, responsive and transparent rule-making, and discuss the objectives of recent reforms to improve the regulatory environment in Finland*

*Discussion questions:*

- *What do you consider as the two greatest strengths in participatory, responsive and transparent rule-making? What do you see as the two greatest challenges?*
- *What reforms has Finland recently made to enhance participatory, responsive, and transparent rule-making? What are the reform's objectives for stakeholders, policy makers and rule makers, including parliamentarians?*
- *What international lessons can Finland benefit from to further improve rule-making? What lessons from Finland's experience can the wider global regulatory policy community benefit from?*

**Moderator:** *Anna Pietikäinen (Head of OECD Regulatory Policy Division)*

**Speakers** *Tiina Astola (former Director-General at DG JUST, European Commission)*

*Jennifer Brown (Director of Policy and Stakeholder Relations, Regulatory Affairs Sector, Treasury Board Secretariat, Canada and Chair of OECD Measuring Regulatory Performance Steering Group)*

*Rolf Höijer (Senior Advisor, Ministry of Climate and Enterprise, Swedish Government Offices)*

*Kati Rantala (Research Director, University of Helsinki)*

*Timo Tuovinen (Deputy Secretary General, Eduskunta, Finland)*

**11.00 – 11.30** *Coffee break*

**11.30 – 13.00** *Panel 2: Strengthening accountability through more participatory, responsive and transparent rule-making*

**Session objective** *Strengthen accountability via embedding better regulation practices in political agenda setting, and adopting innovative practices to improve stakeholder engagement*

**Discussion questions:**

- *What is needed for more participatory, responsive, and transparent rule-making?*
- *How can more participatory, responsive and transparent rule-making strengthen accountability?*
- *How can better stakeholder engagement and use of evidence in rule-making improve trust in government action?*
- *What are the risks of relying on non-participatory, non-responsive and non-transparent rule-making?*
- *How can multiple consultative approaches improve decision-making, better identify areas for simplification, and foster buy-in for rules?*
- *How can digital and innovative approaches facilitate better outreach with stakeholders?*

**Moderator:** *Christiane Arndt-Basacle (Head of OECD Measuring Regulatory Performance Programme)*

**Speakers** *Veera Heinonen (Director, Democracy and participation, SITRA)*

*Katju Holkeri (Chair of the OECD's Working Party on Open Government, Head of Unit for Governance Policy Unit in the Finnish Ministry of Finance)*

*Niko Pankka (Head of Public Affairs, Central Organisation of Finnish Trade Unions (SAK))*

*Aidan Sweeney (Senior Executive, Government, Enterprise and Regulatory, Ibec; Business at OECD (BIAC) Governance and Regulatory Policy Committee Vice Chair)*

*Franklin de Vrieze (Westminster Foundation for Democracy's Head of Practice for Accountability)*

**13.00 – 13.15** *Morning wrap-up and breakout lead-in*

**Speakers** *Stephan Naundorf, RPC Chair and Anna Pietikäinen, OECD*

*Conference "family photo"*

**13.15 – 14.30** *Lunch*

## Closed-door sessions under Chatham House Rules<sup>1</sup>

14.30 – 16.30 Parallel breakout sessions (includes a 20min coffee break)

### Session 1: Role of parliament in better regulation

*Session objective* Explore possibilities to strengthen better regulation principles in the legislature and consequences for executive decision-making

*Discussion questions:*

- What specific roles can parliament play in promoting and incorporating better regulation principles? How can parliamentary bodies contribute to improving regulatory frameworks, ensuring that they are evidence-based, proportionate, and fit for purpose?
- How can the executive and parliament work better together for greater transparency and accountability in rule-making?
- What is the role of parliaments in reviewing and improving existing rules?

*Moderator:* Paul Davidson (Policy Analyst, OECD Measuring Regulatory Performance Programme)

*Kick-off discussant:* Roger Küttel (Advisor Regulatory Policy and Analysis, State Secretariat for Economic Affairs, Switzerland), Emilia Korkea-aho (Professor of European Law and Legislative Studies, University of Eastern Finland)

*Rapporteur:* Susanne van Melis (Deputy Head, Legal Affairs and Regulatory Policy, Ministry of Justice and Security, Netherlands)

### Session 2: Measuring the impact of more participatory, responsive and transparent rule-making

*Session objective* Advance ways to measure how stakeholder engagement improves decision-making and buy-in

*Discussion questions:*

- How can we measure the extent to which affected stakeholders are actually consulted on policy proposals?
- How can we measure the impact that more and better consultative approaches have on rules? How can different approaches (e.g. perception surveys, experiments, data collection such as usage statistics) be used?
- What methods could be employed to demonstrate how feedback from stakeholders is actually used by policy makers in improving rules?
- How can we measure the impact and utilize the input of stakeholders in reviewing rules and regulatory stock management practices?

*Moderator:* Christiane Arndt-Bascle (Head of OECD Measuring Regulatory Performance Programme) and Estera Szakadatova (Junior Policy Analyst, OECD Measuring Regulatory Performance Programme)

*Kick-off discussant:* Petri Uusikylä (Research Director, University of Vaasa)

*Rapporteur:* Genovefa Ružič (Head of Division for Regulation and Public Administration Quality, Ministry of Public Administration, Slovenia)

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<sup>1</sup> The Chatham House Rule allows for the sharing of information obtained during the sessions, while ensuring the confidentiality of the identity and affiliation of the speakers and participants.

### **Session 3: Improving the transparency of impact assessments**

*Session objective*

*Improve the clarity and quality of information provided to stakeholders for enhanced accuracy of estimated impacts*

*Discussion questions:*

- *How can stakeholders be engaged earlier to help shape impact assessments? What methods (e.g. deliberation, town hall meetings, business panels, consultation portals etc.) are effective and under which circumstances?*
- *What information should policy makers provide to generate debate on the policy problem and potential solutions?*
- *How can impact assessments be designed in a user-friendly manner to facilitate improved stakeholder engagement? How can policy makers better acknowledge where they need stakeholder input in impact assessments?*
- *How can impact assessments transparently consider the systematic appraisal of both regulatory costs and benefits?*

*Moderator: Daniel Trnka (OECD Deputy Head of Regulatory Policy Division) and Gloriana Madrigal (Policy Analyst, OECD Measuring Regulatory Performance Programme)*

*Kick-off discussant: Nils Björkstén (Visiting Professor, College of Europe)*

*Rapporteur: Steve Glange (Ministry for Digitalisation and administrative reform, Luxembourg)*

**A guided tour of the Parliament building will take place at 16:30–17:30.**

*Please kindly note that pre-registration was required to attend this event*

**Conference participants are invited to a conference dinner at Ravintola Sipuli at 19:00.**

*Please kindly note that pre-registration was required to attend this event*

14<sup>th</sup> OECD Conference on Measuring Regulatory Performance  
Strengthening democracy through more participatory,  
responsive and transparent rule-making

Day 2 – 20 September 2023

Parliament of Finland

**Closed-door sessions under Chatham House Rules**

**08.00 – 09.00** Welcome coffee. Participants are kindly asked to be seated by 08.45.

**09.00 – 10.00** Panel 3: Improving engagement and outreach with “unusual suspects”

*Session objective* Discuss strategies to make regulatory policy more people centred including improving engagement and outreach with typically underrepresented stakeholders in rule-making

*Discussion questions:*

- How can policy makers make regulation more people-centred?
- How can policy makers ensure diversity in stakeholder engagement?
- What currently prevents better engagement and outreach with all affected stakeholders, and how can these barriers be overcome? How can disengaged and marginalised groups be more involved?
- To what extent should stakeholder engagement differ across affected groups? Should there be a common minimum approach for all affected parties, and if so, what should be those elements?

*Moderator:* Daniel Trnka (OECD Deputy Head of Regulatory Policy Division)

*Speakers* Kristiina Kumpula (Chair of the Advisory Board on Civil Society Policy (KANE), Secretary General of the Finnish Red Cross Organization)

Bairbre Meaney (Principal Officer, Youth Reform, Strategy and Participation, Department of Children, Equality, Disability, Integration and Youth, Ireland)

Lauri Rapeli (Head of Research, Faculty of Social Sciences, Business and Economics, and Law, Åbo Akademi University)

Salla Saastamoinen (Deputy Director-General, European Commission, Joint Research Centre)

Johanna Suurpää (Director General, Department for Democracy and Public Law, Ministry of Justice, Finland)

**10.00 – 10.30** Coffee break

**10.30 – 11.45** Plenary and table discussion

*Reporting back from breakout sessions and identifying concrete policy conclusions and solutions to challenges identified (inc. coffee break).*

*Moderators:* Christiane Arndt-Bascle, OECD and Paul Davidson, OECD

**11:45 – 12:00** *Improved participatory, responsive and transparent rule-making to strengthen democracy: conference closing remarks*

*Speakers* *Susanna Siitonen, Director of Legislative Affairs, Ministry of Justice*  
*Anna Pietikäinen, OECD*

**12.00 – 13:30** *Lunch and end of conference*

**13.30 – 16:00** *MRP Steering Group meeting*

*Please note that the session is open to Steering Group members only. RPC Delegates interested in joining the group are kindly asked to contact the OECD Secretariat*



## Background materials

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OECD (n.d.), *OECD Reinforcing Democracy Initiative*, [Reinforcing democracy - OECD](https://www.oecd.org/reinforcing-democracy/);

OECD (2021), *Evaluation Guidelines for Representative Deliberative Processes*, OECD Publishing, Paris, <https://doi.org/10.1787/10ccbfcfb-en>.

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Prime Minister's Office of Finland, [Strengthening foresight and the role of future generations in Finnish lawmaking, Policy Brief 33/2022](#).

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**Notes:**