

Chapter 3

Transparency through consultation and communication

Transparency is one of the central pillars of effective regulation, supporting accountability, sustaining confidence in the legal environment, making regulations more secure and accessible, less influenced by special interests, and therefore more open to competition, trade and investment. It involves a range of actions including standardised procedures for making and changing regulations, consultation with stakeholders, effective communication and publication of regulations and plain language drafting, codification, controls on administrative discretion, and effective appeals processes. It can involve a mix of formal and informal processes. Techniques such as common commencement dates can make it easier for business to digest regulatory requirements. The contribution of e-Government to improve transparency, consultation and communication is of growing importance.

This chapter focuses on two main elements of transparency: public consultation and communication on regulations (other aspects are considered elsewhere in the text – for example appeals are considered in Chapter 6).

Assessment and recommendations

Public consultation on regulations

Finland's longstanding and broad commitment to an open democracy has traditionally been given expression by extensive consultation with established groups. The Constitution states that “democracy entails the right of the individual to participate in and influence the development of society and his or her living conditions”. Provisions on consultation and participation are given further weight in various laws and guidelines including the Act on the Openness of Government Activities. Finland has a well anchored tradition of participative decision-making which includes a wide range of groups, including NGOs. Strong traditions of trust and consensus building continue to frame the Finnish approach, and have helped Finland to reach consensus on how to address major policy challenges in the past. The approach does present challenges for developing a more strategic approach to policy making and to identifying what may be the best – as opposed to the least contentious – solution to regulatory or policy challenges. Post financial crisis, the need to ensure that effective consultation is in place to identify the best way forward is all the more important.

Alongside the traditional approaches, Finland has for some time also been making use of the Internet for the dissemination of information, and to give the wider public an opportunity to become engaged. There is, for example, a widespread practice of posting draft legislation on the Internet. Renewed efforts are being made to expand the use of the

Internet through new portals aimed at encouraging a wider participation by citizens in policy issues.

Despite these developments, some of the issues raised in the 2003 OECD report are not yet fully resolved. The last OECD report noted that consultation still favoured organised groups, that consultation requirements were not monitored and there were no sanctions, and that the consultation-impact assessment relationship remained weak. These issues continue to need attention.

Consultation continues to favour organised groups. The participative system, based on a strong network of relationships between ministries and key stakeholders, works very effectively at one level, delivering agreement on policies and protecting policies from unravelling when adopted and implemented. But it may be blocking efforts at a more inclusive approach to rule making. By the time a draft law comes out of the process there is less scope for outsiders to influence outcomes. The system as a whole may be losing valuable inputs and the innovative views and ideas which outsiders can bring to policy making.

Timing is critical: those who wish to participate must be able to do so before a decision is well advanced. It may be necessary to change from a reactive gear to a more pro-active one for citizens. It is not enough to make information available: they must be encouraged to use it. There is a growing recognition of the issue and debate on how to move Finland from a culture based on the need to develop unified positions before they can be made public, to broader and more open debates on policy issues. This does require culture change on a large scale. Consultation with citizens and other broad stakeholder groups will need to become a more embedded part of the daily life of public servants, who will also need to familiarise themselves with new tools. Traditional approaches to consultation (such as organised hearings and written statements with established groups) will need to be complemented with alternative and broader approaches such as workshops, public meetings, and the use of web 2.0 technologies.

Recommendation 3.1. Continue the efforts to encourage a wider range of stakeholders into the consultative process, including pro-active (not just reactive) processes to engage citizens. Ensure that the opportunities made available to do so are timely, so that comments can have a real influence on outcomes.

There is now a code of consultation, but consultation requirements are not monitored and there are no sanctions. Since the last OECD report, there has been significant progress with the establishment of a code of consultation in 2005. This is now being renewed and strengthened (for example, specifying minimum time limits for consultation). A key missing element, however, continues to be the lack of monitoring or sanctions for non-compliance. It seems that ministries face no real questioning on their consultation work, prior to submitting a proposal for government decision. There are no sanctions if a consultation is poorly organised. There is a tendency to disregard - or lack awareness of - the consultation code.

Recommendation 3.2. Back up the code of consultation with a system that will put real pressure on ministries to comply.

The relationship between public consultation and impact assessment remains weak. Chapter 4 addresses this issue. Consultation is carried out more with the aim of building

consensus than to gather evidence and assess potential impacts of proposed new regulations. This explains in part why it is difficult to make headway with a strong *ex ante* impact assessment policy: it is not in the culture to think of regulatory development in this way.

The tradition of ministerial autonomy stands in the way of sharing best practices. Autonomous policy development work (not just between ministries but, it seems, between departments within ministries, judging from interviews) means that opportunities are lost to share good practice. The OECD peer review team had the sense that ministries may tend to “reinvent the wheel” when tackling a major new reform.

Recommendation 3.3. Identify and implement a process whereby best consultation practices among ministries can be identified and publicised within the government.

Box 3.1. Recommendation from the 2003 OECD report

Strengthen the policy on consultation, and ensure that consultation and Regulatory Impact Assessment (RIA) programmes are effectively integrated.

RIA is not supported by consultation

Reinforcement of public consultation mechanisms is essential to ensure that consultation can adequately support an enhanced RIA programme by acting as a source of relevant data. One key direction for reform is to standardise consultation by adopting more formal requirements to be followed by all ministries and regulatory agencies. A place to start could be the establishment of a mandatory notice and comment system for all draft laws and secondary legislation.

Integrating consultation with RIA would enhance the effectiveness of both policy tools: consultation is better informed and focussed and more likely to yield useful information if it is conducted on the basis of substantial factual information, as provided by RIA. In turn, well directed consultation can be the most cost effective means of gathering the data needed for more reliable and sophisticated RIA.

Consultation favours organised groups

A particular issue is the lack of transparency for outsiders of a system based on informal practices to achieve consensus among major players. Less organised or influential groups such as taxpayers, consumers, the unemployed, and environmental interests can lack access to policy-making processes. Effectively harnessing their input is crucial to improving regulatory quality. As well, globalisation means that increasing demands for participation from foreign investors and traders must be accommodated, placing further pressure on traditional corporatist and consensus driven models.

An active engagement of some “new” regulated parties might be needed in some cases, as for instance consumers or non-residents. This might be done by creating focus groups. Also, as committee membership is determined by the minister, there is a risk that this mechanism will operate in a way that benefits organised interests and regular or favoured interlocutors of government, at the expense of less organised interests. These factors suggest that there is a need to review existing consultative approaches and objectives to improve their operation and raise their cost-effectiveness.

An important concern is that there is potential to blur the line between obtaining advice and opinion on policy issues from relevant interest groups and undermining the responsibility of democratically elected representatives to make final decisions concerning laws. The problem is exacerbated if the range of groups represented is too narrow to reflect all major social interests.

Consultation requirements are not monitored

Nobody is tasked with checking that all those affected have been consulted and ministries vary in practice as to which groups are regularly consulted. No specific time limit is set for providing an opinion, although it must be “reasonable” and averages about 4 to 6 weeks. In most policy areas, traditions and internal government policies govern practices in public consultation. Public consultation varies considerably according to the level of regulation.

Public communication on regulations

Access to regulations is transparent and clear, aided by longstanding efforts to promote e-Government. Finland stands up well in this regard compared with many other OECD countries. The principle of free access to information prevails, backed up by a number of provisions, including several primary laws, publication of laws and secondary regulations by the Ministry of Justice, and online information services.

Background***Public consultation on regulations****General context*

According to section 2.2 of the Constitution, “Democracy entails the right of the individual to participate in and influence the development of society and his or her living conditions”. In addition to the right to vote, this section requires that participation and influence be supplemented by other democratic tools. The right of individuals to participate and influence is also strengthened by the obligations of public authorities set out in sections 14.3 and 20.2 to:

- promote the opportunities of the individual to participate in societal activity and to influence decisions that concern them; and
- endeavour to guarantee for everyone the possibility of influencing decisions that concern their living environment.

Reflecting this broad commitment to an open democracy, openness is a central goal in Finnish legislative drafting, and consultation is seen as an established part of ministries' legislative drafting process. Provisions on consultation and participation are given further weight in the Act on the Openness of Government Activities, the Administrative Procedure Act and the Language Act, as well as the Bill Drafting Instructions and RIA guidelines. They apply to the development of all central government regulations. The overall message is that ministries must ensure that they obtain or hear opinions on “a large scale”. Parties likely to be affected by a proposed law must be given a chance to express their views, and lack of time must not be a pretext for neglecting this procedure.

The Act on the Openness of Government Activities (1999) was a particular landmark in promoting the principle of increased transparency of the law-drafting process. The Act sets legal standards for transparency and openness of drafting. It provides that, as a general rule, government documents, including preparatory work on draft regulations, should be made available to the public “as soon as they are fit for comments” (*i.e.* even if the draft is still under development). The Act also requires that the authorities should inform the public on projects under development.

Transparency and stakeholder participation is emphasised in the GSD. Ministries are required to provide information about their consultation practices as part of the evaluation of GSD outcomes.

Traditional approaches

The commitment to a participative law making process has traditionally been given effect through longstanding traditions based on government consultation with established groups, with the aim of building consensus on key issues (described by the government as “expert representative democracy”). The *HELO* Instructions, initially issued in 1975, identify the following to be the most important parties to be consulted: other ministries, central agencies, municipal central organisations, leading labour market organisations, and important economic groups and associations representing particular interests, such as industry, small to medium-sized enterprises, environmental NGOs, consumer NGOs. The social partners remain an especially important consultation and consensus building partner.

The two most widely deployed traditional means of consultation are hearings, which are used during the preliminary phases of the law-drafting process, and written statements on the first draft. Ad hoc committees are often used for major legislative proposals, and these follow the development of a proposal from start to finish. Stakeholders have further opportunities to get their views heard once a draft Bill has been laid before the parliament, which often organises hearings as part of the Committee debate on the Bill. Draft Bills sent to the parliament contain a brief summary of conclusions reached following government consultation, including impacts.

Box 3.2. Traditional approaches to consultation

Written statements

This is the most common consultation method. The ministry asks stakeholders to comment the matter at hand, *e.g.* a working group report, a background report or a draft Bill. The request for comment should be widely circulated.

Hearings

Hearings are arranged in which the responsible ministry presents the content of the legislative proposal, so that stakeholders have the opportunity to express their opinions and discuss it. Any interest group may attend hearings.

Preparatory bodies

For a major legislative project, the Council of State or individual ministries may set up an *ad hoc* committee at the start of the process, chaired by the government. This brings together a wide range of interests- civil servants, external stakeholders (business, consumer and other interests), experts and political decision-makers for the duration of the drafting process. The composition of committees is at the government’s discretion. Committees co-ordinate contributions, communicate comments and make proposals. Their final Memorandum must include an assessment of the social, administrative, economic and other impacts of the proposal. An effective recent example is the Commission on Sustainable Development.¹

Social partners

Social partners have a special place in Finnish society and as part of this, in the consultation traditions.² The relationship and scope of their influence – as in some other European countries – extends a considerable way beyond consultation. The social partners

have concluded numerous tripartite agreements with the Finnish government covering not only wages but also a wide range of issues related to employment policy, extending to social welfare and pension schemes, and taxation. There is also considerable self regulation. The federations of trade unions negotiate general framework agreements with the central employers' confederations. These form the basis for collective labour agreements which are formulated by trade unions and the corresponding employers' associations. Local agreements drawn up by workers' representatives and employers are based on the collective labour agreements.

NGOs

Finland has an open approach to consultation with NGOs, particularly though their participation in working groups with civil servants. There is also co-operation at the regional level. 15 regional NGOs work with the regional governments and there are 200 local groups working with the municipalities (on issues such as roads or parks). The initiative to streamline the policy for climate change is an example of positive collaboration with NGO groups. Environmental NGOs collaborated with the government to help develop sustainable development indicators and prioritise them. However, there has been little feedback on the usage of these indicators. In October 2008, the Ministry of Finance completed a project aimed at improving collaboration between NGOs and ministries. The project group included representatives from the ministries and Swedish-speaking NGOs. The recommendations of the project group cover principles of transparency and hearing.

One issue appears to be that relationships between NGOs and ministries can be somewhat "exclusive". Environmental NGOs, for example, will have good relationships with officials in the Ministry of the Environment, but the relationship with other ministries is weaker. This can be a factor when ministries need to consult with stakeholders that are not their 'usual' stakeholder groups. In such cases, consultation with stakeholders may not take place at all, or may happen quite late in the process.

An Advisory Board on Civil Society Policy was established by the Ministry of Justice in 2007 to strengthen the interaction between NGOs and the government, as part of a broader programme by the ministry to strengthen Finnish democracy (see Box 3.3 below).

Requirements for public consultation

There are no requirements, but recommendations on ministries for effective consultation are set out in the government's *kansanvalta* website. This specifies that, "A comprehensive summary of comments, responses and ideas received must be compiled. A summary of comments, opinions and views expressed in hearings must also be brought up at the decision-making stage. Proposals for decisions must also detail viewpoints that did not result in changes and reasons for not including them. Summaries must be available for public inspection. Individual comments must also be available. There may also be reasons for the government to pro-actively provide information about a summary." Government guidance specifies that both traditional methods, such as written comments, and ICT based approaches may be used. The choice is left to the ministry, depending on the situation and the target group. It is recommended that several different methods for consultation are used during the drafting process to ensure as extensive a consultation as possible. The Better Regulation website also contains information about the processes that should be followed by ministries.

The considerable guidance aimed at securing effective consultation has not so far been backed up by any evident formal monitoring or sanctions for non-compliance. This is reflected in what appears to be very different and uneven performances on consultation

among ministries. The cultural emphasis on reaching consensus also has an impact on how and when a draft proposal is made available for wider comment. Some hearings are called at short notice, leaving those consulted with inadequate preparation time and reducing effective participation and transparency. Some ministries however do a great deal, publishing detailed information on consultation on their websites, and providing feedback to stakeholders. The OECD peer review team heard that the requirement to make information formally available for public inspection comes too late, in that proposals will not be withdrawn or even significantly amended at that point.³

Code of consultation

A code of consultation⁴ was published in 2005 by the Ministry of Finance, aimed at bringing the process closer to citizens and applicable to all levels of government. One of the conclusions of the government's mid-term policy review of the GSD was to update the code. After consultation of ministries and stakeholders, a new draft code is under development, through a project group set up by the Ministry of Finance and the Ministry of Justice (HAVU), and is expected to be issued in 2010. The new code aims to support greater transparency in making regulations. Almost all government bills should be drafted in groups with stakeholder members and all regulations, including secondary or subordinate regulations, should be submitted for consultation. Any exception or the use of an alternative procedure must be justified in writing. The code will also specify minimum time limits for the consultation period. Again, there must be written justification if the period is shorter.

Public consultation and RIA

In the 2007 RIA guidelines, the consultation process is defined as an essential part of the process. However this not a formal requirement, and stakeholders have indicated that if they are approached, it is too late in the process for their inputs to have any real impact. Largely, they are consulted on a preliminary legislative text, rather than during deliberations on the earlier stage of shaping a policy proposal when the means of taking this forward is still open for debate.

Development of new approaches and the use of e-Government

Alongside long established processes, Finland has for some time been developing the use of e-Government to disseminate information, allow comment on government actions and give the wider public an opportunity to become engaged.

The Government Project Register (HARE) is a shared public online service of the parliament and ministries (www.hare.vn.fi). It provides information about government and ministerial projects, and about committees, advisory boards, teams of investigators, working groups and executive organs of central government agencies, departments and unincorporated state enterprises, as well as parliamentary projects relating to the administration. The registry also contains information about legislative projects being prepared by public servants at ministries. Parliament and each ministry are responsible for their respective project information. Information about issues under preparation can also be found on the websites of the ministries. The Official Gazette publishes brief notes on all committee proposals for new legislation.

There is a widespread practice of posting draft legislation on the Internet. Ministries use their websites to disseminate information on current projects and to invite comments. Important initiatives include a “share your views with us” electronic discussion forum for

stakeholders to be consulted in the early stages of policy preparation (www.otakantaa.fi). This was set up in 1999 to allow individual citizens to discuss issues that may be the subject of regulation. A new version of the forum was launched in 2007.

The more recent introduction in 2007 of the democracy database web portal (www.kansanvalta.fi)⁵ has the broader aim of providing information for citizens on the policy making process and government activities. The website supports active citizenship by including information on: Finnish democracy and its basic values; citizens' rights; citizens' methods of participation and influence; civil society; political parties; public decision-making; democracy research and projects; current issues and events related to democracy; and links to other useful sites. The website makes considerable information available in a refreshingly clear and direct format for the general public to understand decision-making processes, how to make themselves heard, and how to become involved in the development of legislation if they so wish.

Electronic consultation is also being developed. The programme *Sähköinen asiointi ja demokratia* (e-services and e-democracy) will have a pilot project called “interactive participation environment” during 2010-11. An interactive Internet-based participation environment supported by guidance and information will be created to bring parliamentary, central and local government participation services on to one portal. The participation environment will be integrated into existing e-Government and online services. The participation portal will be offered as a service to government organisations. Through this “electronic consultation and citizen participation service”, the different government organisations will be able to introduce interactive services best suited for each stage of the preparatory and decision-making process, and integrate these into their own electronic services and functions.

Box 3.3. Public participation in the drafting of legislation

“In the drafting of Finnish legislation, citizens' participation is primarily realised through the procedure of obtaining comments. Non-Governmental Organisations (NGOs) and other civil society groups are heard when ministries prepare legislation. As a rule, the procedure for the obtaining of comments is intended for various communities and existing organisations. In addition to this procedure, citizens can make their voice heard through self-initiated contacts to government and in hearings. Good preparation of legislation should mean that, in addition to public authorities, groups directly affected by the legislation being prepared are heard extensively enough. These can include NGOs and experts.

NGOs and private persons also have the opportunity to provide self-initiated feedback on various details related to the preparation of legislation. It is a good idea for NGOs to keep as well informed as possible about the progress made in the preparations of an issue that interests them. A quick and simple way is to email comments about preparations directly to a public servant working on the issue, or to the registry office or communications unit in the ministry. The latter two will then forward them to the relevant officials. As far as possible, hearings are organised by inviting representatives of a field to the same hearing in order to ensure that supporting opinions can be voiced as extensively as possible.

Source: Government *kansanvalta* democracy website: www.kansanvalta.fi.

Initiatives have, however, so far generally stopped short of initiating direct contact with individual citizens or businesses. If an individual business or citizen wishes to be heard, s/he must usually take the initiative (what the government calls “self-initiated contacts” and “self initiated feedback”). Despite the efforts, there still appears to be some way to go in

engaging citizens. Interviews held with the OECD⁶ indicate that public management reforms have been focused more on customer service issues than on citizen participation in the shaping of policies and associated regulation. Large parts of the Finnish decision-making process still appear to operate with traditional methods and in interaction with traditional partners.

Finland recognises the need to improve and broaden its approaches to public engagement on policy and rule making. The development of the *Kansalvata.fi* democracy website is evidence of this. A far reaching set of new initiatives for strengthening public participation and democracy was started in 2003 and is now being taken forward by the Justice ministry (Box 3.4). The Citizen Participation Policy Programme ran from 2003 to 2007 and promoted active citizenship in support of representative democracy. The work is now being carried forward by a Democracy Unit within the Justice ministry. Its mandate is to promote citizen participation, and its responsibilities include maintenance of the discussion forum web site “*otakantaa*” as well as the democracy web portal “*kansanvalta*”.⁷ The Democracy Unit has developed a strategy for e-democracy. The ambition is to become one of the best in this field in Europe. The aim is to create an environment in which public organisations can consult with citizens and civil society, and where citizens also can contact each other about public matters.

There is still some way to go. The PMO has identified the need to generate further debate on the way forward and the need to review longstanding traditions with a view to improving public governance and the general functioning of democracy. It notes for example that “the stakes for stronger citizen engagement need to be more clearly discussed within the public administration and with the parliament and civil society in order to develop a consensus about the direction of citizen engagement and the means to further advance such efforts.” It notes that “the Finnish culture is such that there is a strong importance placed on presenting a unified position, discussion occurs behind the scenes until a decision is made”. It recognises that “citizen involvement in policy remains weak despite good will and efforts in some parts of the Finnish public service”. However, the OECD Secretariat understands from discussion with the Democracy Unit that there is now a readiness among civil servants to review how they interact with the public.⁸

Box 3.4. Finnish government initiatives to strengthen citizen participation

Citizen Participation Policy Programme

The Citizen Participation Policy Programme was a Finnish national democracy project run in accordance with the Government Programme (2003–07). It promoted active citizenship, the operation of civil society, exercise of influence by ordinary people, and the effective functioning of representative democracy. Several projects promoting citizen participation were implemented under this cross-administrative programme by many different ministries and in co-operation with civil society and the research community.

The most important achievements of the programme were the increased efficiency of civic and democracy education, improved interaction between government and civil society, promotion of municipal democracy and improved functioning of municipal councils as well as evaluations of the need for legislative policies. The Programme focused particularly on strengthening the knowledge base for democracy and arranging for the permanent collection of related indicator information. The Programme formulated a plan for a democracy policy that will enable the government to promote social participation and influence by citizens as required by the Constitution of Finland.

Ministry of Justice Democracy Unit

The process to promote citizen participation is now co-ordinated by the Democracy Unit, established under the Ministry of Justice in 2007. Its mandate is to promote citizen participation and it is, *inter alia*, responsible for the drafting of democracy policy, organises co-operation between ministries in the area of citizen participation and is in charge of the maintenance of the discussion forum website, www.otakantaa.fi and the web portal site, www.kansanvalta.fi (the democracy data bank). The *kansanvalta* site is a repository of detailed and readily accessible information on Finnish democracy and serves citizens, government officials and website serves citizens, researchers, government professionals, educators and others interested in democracy and related issues.

The work of the unit is still at an early stage. As such, it is difficult to evaluate the impact that it will have. It has four permanent staff members and three temporary ones, who work on EU-projects. Its work differs from that of the Citizen's Participatory Policy Programme, in that the Policy Programme was mainly aimed at improving representative democracy (role of parties etc.), while the Democracy Unit develops and puts into practice new and more direct ways of citizens' involvement. Municipalities are autonomous in making their own policies in this respect.

The unit has formed a "Democracy Network", in which representatives (Head of department level) of all ministries participate. This network shares good practices and tries to map problems in citizens' involvement efforts of Ministries. The Democracy Network has drafted a "Democracy Policy Document", containing proposals aimed at stimulating citizens and civil organisations to be involved and participate in public matters, as well as at national public sector officials to open up working methods for such involvement and participation. An Advisory Board for Civil Society Policy has also been established; membership is drawn from the ministries, NGOs, academics and business.

Democracy Policy Document

During 2009, the joint democracy network of the ministries, co-ordinated by the Ministry of Justice, has been preparing the first Finnish democracy policy document. The document consists of a broad consultative document and the final act of the Cabinet concerning promotion of democracy. In November 2009, the draft document is to be discussed in a joint seminar of the Ministry of Justice and the Parliament. The Cabinet will discuss the democracy policy document in December 2009.

The democracy policy consultative document aims to recognise the central challenges and problems facing Finnish democracy. In its decision in principle, the Cabinet will define the methods to be used in the coming years to increase the influencing opportunities of the Finnish citizens. A separate action plan to the decision in principle document is currently being drawn up. It will concretely show the methods and schedules of implementing the decided actions.

Public communication on regulations

Finland was part of Sweden when the first Act on the Freedom of Publishing and the Right of Access to Official Documents was passed in 1776. It was the first Act of its kind in the world. Since then, the principle of free access to information has prevailed. Access to official documents is regulated by the Act on the Publicity of Official Documents (1952). The right of access to information in official documents is a basic right protected by the Constitution. The Act on the Openness of Government Activities extended the principle of access to information in official documents in the public domain, by extending coverage to all those exercising public authority irrespective of their organisational form. Authorities must also promote openness by disseminating information on their activities.

The Ministry of Justice publishes laws, decrees and other regulations specified in the Act of Statute Book of Finland (2000) and the Act of Regulation Series of Ministries and other Authorities (2000). Acts of Parliament, Parliament's Rules of Procedure and Decrees (of the President, the government and the more important ones of the ministries) are published by the Ministry of Justice in the Statute Book of Finland. Treaties are published

in the Treaty Series of the Statute Book. Integrated and up-to-date versions of Acts and other statutes available in Finnish and Swedish on the webpage of the Ministry of Justice. According to the above acts, the contents of the Statute Book and the Regulation Series must be made available electronically in *Finlex*, the database of the Ministry of Justice.⁹ Agency regulations, as well non-binding instruments such as recommendations, are also available on *Finlex*.

The Finnish government notes that *otakantaa.fi* ("Have Your Say") and *kansanvalta.fi* are central government online services run by the Ministry of Justice and accessible to all, that provide the public with information and participation channels related to decision-making in society. They have been designed to be mutually supportive: *kansanvalta.fi* is the data bank and *otakantaa.fi* is the participation channel.

Notes

1. It is chaired by the MEE (previously by the PMO). It is broad based with diverse stakeholders (40), and 5 ministers.
2. Trade union membership in Finland is high although there has been a decline in membership over the past decade. Approx 74% of all workers belong to a trade union as compared to 80% at the beginning of the 1990s. Discrimination against workers based on such as membership in a professional organisation, nationality or origin is prohibited during an employment relationship, in connection with recruitment and when ending an employment relationship. Discrimination at work is punishable by law.
3. The Medicines Patent Law was given as one example where consultation with other ministries and external stakeholders came too late. This resulted in a law which has had a detrimental effect (decrease of innovation activity).
4. Instructions for hearing the citizens in all administrative procedures.
5. www.kansanvalta.fi.
6. As part of the OECD's Public Management Review of Finland.
7. www.otakantaa.fi; www.kansanvalta.fi.
8. Discussions held by the OECD secretariat in the context of the OECD 's Public Management review of Finland.
9. www.finlex.fi.