



Resolution 1744 (2010)¹

Final version

Extra-institutional actors in the democratic system

Parliamentary Assembly

1. The Parliamentary Assembly recalls the Council of Europe's key role in, and particular its responsibility for, safeguarding and promoting pluralist democracy in Europe. The Organisation must continue to follow closely new trends and anticipate tendencies in the evolution of our societies in order to identify and remedy deficiencies and to improve the quality of democracy which is of the greatest value for all Europeans.
2. As already expressed in its previous resolutions, the Assembly remains concerned by the declining level of public interest and involvement in politics and by the loss of citizens' confidence in state and political institutions.
3. It notes, however, that traditional state and political institutions – parliaments, governments, the judiciary, as well as political parties – are not the sole participants in the democratic political process. In modern democratic societies, there exists a variety of other actors which do not stem from the traditional branches of institutional power, but exert an influence on the process of formation of those institutions and on the political decision-making process therein.
4. Such extra-institutional actors may include trade unions, constituted advisory bodies, the business community, interest and pressure groups, advocacies, lobbies and networks of influence. Furthermore, the media play an important part in the political process. Civil society organisations (charities, non-profit or non-governmental organisations, volunteer associations, etc.), as well as religious organisations, often pursue political agendas and tend to influence political decisions. Finally, attempts by groups involved in illegal activities to exert influence on political decision making should not be underestimated.
5. In addition, the activities and decisions of various economic operators (industries, banks, insurance companies, investment funds, credit rating agencies, etc.) may have a strong impact on policies and require a political response from institutional actors.
6. While the influence of extra-institutional actors on politics is not a new phenomenon, both its scale and its visibility have considerably increased in recent years, in particular with the spread of information and communication technologies. The Assembly therefore considers that the role of extra-institutional actors needs to be better understood in terms of their impact on democratic institutions and procedures, and taken into account in the efforts to strengthen and improve democracy.
7. The Assembly strongly supports political pluralism as one of the key principles of a genuine democracy. Therefore, it notes that, under some conditions, the activities of extra-institutional actors may be beneficial for the functioning of a democratic political system in so far as these actors:
 - 7.1. provide a framework for individuals to associate among themselves and jointly express views and defend their interests;
 - 7.2. encourage wider participation in public life and provide opportunities to engage in the political process;
 - 7.3. offer a link between the people and the political institutions;

1. *Assembly debate* on 23 June 2010 (24th Sitting) (see [Doc. 12278](#), report of the Political Affairs Committee, rapporteur: Mr Daems). *Text adopted by the Assembly* on 23 June 2010 (24th Sitting).



- 7.4. allow a better representation of specific interests and needs, including those of minorities;
 - 7.5. provide expert information in the field of their activity, which is necessary for informed political decision making;
 - 7.6. provide additional channels of public oversight over political decisions.
8. At the same time, the Assembly believes that some aspects of activities of extra-institutional actors aimed at influencing political decision making may raise a number of concerns with regard to the fundamental principles of democracy.
9. In particular, the legitimacy of extra-institutional actors is often doubtful as their mandate does not stem from the whole of society; their representativity is limited and difficult to assess. At the same time, the real influence and authority of such actors may extend far beyond their legitimacy and representativity.
10. The lack of transparency as regards the internal functioning of extra-institutional actors and their relations with public institutions and officials may cause suspicions of political corruption and further damage the image of, and public confidence in, political institutions. In addition, extra-institutional actors are not subject to any genuine democratic accountability.
11. While seeking to influence political decisions in accordance with sectoral interests which they represent, extra-institutional actors aim to alter the balance of interests as it results from normal political processes. Consequently, the will of the people may be distorted, the principle of political equality of citizens is endangered and public confidence in democratic decision making may be damaged even further.
12. Although the media are not part of state institutions, they are often referred to as the “fourth power” due to their influence on public opinion and, as a consequence, on the political process. Free pluralist media are one of the cornerstones of a democratic society, in so far as they allow circulation of accurate information which is needed for decision making.
13. At the same time, the media as an instrument of political influence may be misused and abused when they serve to circulate selective or biased information and misinformation in order to manipulate public opinion or to pursue narrow party or private business interests.
14. In this respect, the Assembly reiterates its concerns, already expressed in its [Resolution 1547 \(2007\)](#) on the state of human rights and democracy in Europe, that the media in many cases tend functionally to replace political parties by setting political agenda, monopolising political debate and creating and choosing political leaders. Moreover, it considers that the self-assumed role of ultimate judge which some media tend to play may seriously damage the political process.
15. The Assembly believes that political and state institutions should involve various extra-institutional actors and citizens more actively in the decision-making process. However, in order to improve public confidence in public institutions of government, and thus strengthen democracy and the rule of law, the decision-making process needs to be more transparent.
16. People have a democratic right to know those actors who have access to government decision making for the purpose of influence. All kinds of influence which are not exercised in full transparency should be considered as being suspicious and harmful to democracy.
17. Accordingly, democratic institutions should reject any attempts to influence political decisions which are made in a non-transparent way.
18. The Assembly refers to its [Recommendation 1908 \(2010\)](#) on lobbying in a democratic society (European Code of conduct on lobbying), and reiterates the suggestions contained therein.
19. That said, it considers that the influence of extra-institutional actors on political decision making needs further examination, including in the framework of the Council of Europe’s Forum for the Future of Democracy.
20. Consequently, the Assembly invites the European Commission for Democracy through Law (Venice Commission) to study the issue, in particular with regard to:
- 20.1. the scale of the involvement of extra-institutional actors in the political process in the Council of Europe member states, as well as at the international level;
 - 20.2. the impact of these actors on the functioning of democratic institutions and on the legitimacy of the democratic political process;

20.3. the existing legal framework for such activities in the Council of Europe member states and the appropriateness of taking additional standard-setting measures at national and European levels.

21. The Assembly resolves to reconsider the issue of the role of extra-institutional actors in the democratic system on the basis of the findings of the Venice Commission.