



Memorandum

Conference on democracy in Europe

*How can parliamentarians help to safeguard and
strengthen democracy and the rule of law?*

18–19 June 2023

The Swedish Parliament,
Former Second Chamber

Memorandum from the Conference on Democracy in Europe

Introduction

On 18–19 June 2023, an interparliamentary conference was held in the Riksdag on democracy in Europe. The purpose of the conference was to offer the parliamentarians an opportunity to discuss how they can help safeguard and strengthen democracy and the rule of law in Europe. The conference was held within the framework of the Riksdag's part of the Swedish Presidency of the Council of the European Union – the parliamentary dimension of the Presidency. The Riksdag Committee on the Constitution organised the conference, and around a hundred members and delegation staff from different parliaments in Europe participated. The conference was introduced with a dinner at Skansen on 18 June and continued the next day in the former Second Chamber of the Riksdag. The part of the conference that took place in the Riksdag Building was divided into the following sessions:

- The importance of safeguarding democratic dialogue and the significance of parliaments.
- Exchange of opinions on the theme discussed during the previous session.
- The importance of safeguarding the independence of the courts and trust in social institutions.

Further information and video recordings of the conference are available [here](#).

The conference was opened with addresses by the Speaker of the Swedish parliament, Andreas Norlén, and the Vice-President of the European Parliament, Michal Šimečka. The Speaker emphasised the importance of the EU for democracy, human rights, and the rule of law. He also discussed how parliamentarians need to uphold political culture and how agreement on procedural matters enable constructive political conflict.

The Vice-President stated in his address that the most recent decade has been one of crisis for democracy and the rule of law. He also emphasised that the European Parliament is very engaged on this issue, for example through the Rule of law reports, and that there are mechanisms in place to handle infringements, such as the conditionality regulation.

Session 1, part 1 The importance of safeguarding democratic dialogue and the significance of parliaments

Session 1 was introduced by the Chair of the Committee on the Constitution Ida Karkiainen.

This was followed by an address by Johannes Lindvall, Professor of political science at the University of Gothenburg. Lindvall's presentation focused on the intensification of conflict in terms of different kinds of polarisation and the extent to which this constitutes a threat to democracy. He stated that a central function of parliaments is to transform conflicts from fights into games and debates. He also emphasised the fact that we should separate conflict over policies, where opinions can differ, from conflict over the rules themselves, where there should be consensus.

Following this was an address by Sara Hagemann, Professor of political science at the University of Copenhagen. Hagemann's address focused on three aspects of how the parliament serves as a forum for democratic debate. First, she noted that electoral rules and the parliaments' organisations matter for the democratic dialogue both at home and abroad, and that different political systems have different political cultures. Second, she emphasised the importance of parliamentary committees in furthering democratic dialogue. Third, she stated that accountability in parliament is best achieved through a combination of scrutiny and dialogue. In conclusion Hagemann stressed that although decisions are concentrated with the governments in times of crisis, decision making must remain accountable. The session continued with reflections from a panel of members and former members of parliament, moderated by Cecilia Garne.

Astrid Thors, Vice President of Liberal International and former member of the Finnish parliament and the European Parliament, highlighted three elements: first, the importance of declaring conflicts of interest; second, the interaction between parliaments and the media; and third, how trust in public

institutions can be increased. Finally, she noted that women are less likely than men to remain in politics and she urged the participants to support women who are attacked in their roles as political representatives, journalists, or researchers.

This was followed by an address by Reinhold Lopatka, member of the National Council of Austria and Vice-President of the Parliamentary Assembly of the Council of Europe. Lopatka focused on two themes: trust and respect. He stated that there is a lack of trust, and that one way to remedy this is to involve citizens in political processes, for example through referenda. He also noted that all elected parties should be respected and included in all aspects of parliamentary work, because it is dangerous to have a political pariah in the parliament.

Björn von Sydow, Former Speaker and member of the Swedish parliament, followed with an address focusing on the distinction between experts and politicians – whereas the former search for truth, the latter deal in demands and priorities. He also noted the need for forums where the two can interact, such as debates that include both experts and politicians.

Session 1, part 2 Exchange of opinions on the theme discussed during the previous session

During the second part of Session 1, opinions were exchanged on the themes discussed during the first part. This was done under the leadership of moderator Cecilia Garne. Here, the invited parliamentarians were given the opportunity to express their view on the topics discussed. Several of the participants mentioned the question of public involvement in political processes, such as referenda or citizen boards in parliaments. It was noted, however, that for such efforts to increase public trust in institutions they must also deliver results. Several of the participants also raised the issue of new technological platforms intended to increase citizen involvement in politics. At the same time, concerns were raised about the ability of such platforms to enable equal participation.

In a concluding address, Speaker Andreas Norlén highlighted the distinction between direct democracy and representative democracy. He also stated that there are benefits with having citizens engaging with politics through parties rather than directly with political institutions.

The Chair of the Committee on the Constitution Ida Karkiainen then concluded Session 1 by stating that events in the world during the last decade show us that democracy needs to be won every day. Bringing up the issue of young people's engagement in politics, she also noted that school classes are regularly invited to visit the Riksdag and meet parliamentarians. Finally, she addressed the question of how to bridge the gap between citizens and politicians and how to counteract political forces and states that seek to decrease trust and diminish European democracy.

Session 2 The importance of safeguarding the independence of the courts and trust in social institutions

Session 2 was about the importance of safeguarding the independence of the courts and trust in social institutions. The session was led by the Deputy Chair of the Committee on the Constitution, Erik Ottoson.

The first address was made by Jessika Roswall, the Swedish Minister for EU Affairs. Roswall noted that the rule of law and the independence of the judiciary are crucial for trust and emphasised that these are among the priorities of the Swedish Presidency. She also argued in favour of broad consensus when constitutional reform is undertaken. Finally, she stated that the EU must act, for example using the conditionality regulation, when member states challenge fundamental democratic values.

This was followed by an address by Didier Reynders, Commissioner for Justice, the European Commission, who started by stating that the fundamental values set out in Article 2 of the Treaty of European Union are being increasingly challenged. He then emphasised that the Commission has developed a strong rule of law policy using, among other things, the annual Rule of law reports. The goal of these reports is to detect challenges at an early stage and prevent them from deteriorating.

Reynders concluded by stating that the perception of the general public matters, and that in order to promote a rule-based order at the national level, the EU also needs to deliver at home to remain credible.

The next speaker was Thomas Bull, Justice of the Supreme Court of Administration in Sweden. Bull's address focused on the importance of political and legal culture in protecting the rule of law and the independence of the judiciary. He states that judges should show restraint when it comes to publicly expressing views on political issues. At the same time, politicians should show restraint when it comes to commenting on particular verdicts by the counts. If a verdict is found to be lacking, this should, according to Bull, be seen as an opportunity to introduce better legislation.

The last speaker of this session was Herdís Kjerulf Thorgeirsdóttir, Vice-President of the Venice Commission. Thorgeirsdóttir argued that participation of citizens is crucial for upholding the rule of law and the independence of the judiciary. She stated that concentrated ownership of media outlets means that there is a monopoly on the formation of public opinion with much power but little public accountability. She concluded by stating that a key goal is to translate freedom of expression and robust political debate into the digital environment.

This was followed by an exchange of views where the invited parliamentarians were given the opportunity to express their views and pose questions to the panel of speakers. Topics that were discussed included the problem of disinformation, the conditionality regulation, transparency in the appointment of judges, and the distinction between illegal speech and offensive speech.

In a concluding address, Deputy Chair of the Committee on the Constitution, Erik Ottoson thanked the participants. He stated that parliaments have an important role in striking a balance and weighing different perspectives, in the interest of a vital and living democracy. He concluded by stating that the cultural protection of democracy is likely to be stronger than any constitutional protection.