

Prospects for e-democracy in Europe

1. Introduction

Public and scholarly debate regularly refers to the long-standing and continuing democratic deficit in the European Union. This democratic deficit is explained by the EU's complex and mutually reinforcing mix of institutional design features. To make optimal use of the potential provided by digital tools for new modes of political communication and participation via the internet (e-participation) as identified in the study, a set of policy options is outlined. These findings are based on: 1) an extensive review of literature on e-participation and e-democracy published since 2011; 2) a qualitative comparative analysis of 22 case studies and 45 interviews with organisers and researchers; and 3) a workshop with experts at EU level. This brief begins by discussing general design options that have turned out to be conducive for successful participation processes; it then examines ways to enhance existing EU-level online tools; and concludes by identifying options for new tools at EU level.

2. General design options regarding e-participation processes

2.1. Link to existing policy or political process

A link to a concrete formal decision-making process appeared to be the most decisive condition in the qualitative comparative analyses. This link between input from participants and political reality could be strengthened by facilitating online interaction between participants and decision makers. Furthermore, online participation processes are of low value when topics are too broad and outputs too general. Such outputs fail to match the needs of decision-makers. Lastly, when rules on how exactly to integrate outputs into the policy process are lacking, it remains unclear which officials are responsible for their further processing.

2.2. Clarity on the participation process

It is imperative that the participatory process and the contribution of its outputs to the overall decision-making process be clear and communicated to the participants from the start. This means that the participation process must be well-embedded in the decision-making process. In this way participants and decision makers will both know what to expect.

2.3. Feedback to participants

Providing participants with feedback about how their contributions have materialised is essential. It is a sign of a well-organised process in which it is clear how exactly the participatory input has contributed to the decisions made. In addition, feedback to participants is an important form of accountability, especially since in the majority of the cases studied authorities were free to make their own judgements and thereby deviate from the results of the participation process. The participation processes in the majority of cases were therefore non-binding.

2.4. Sustainability

A participative process should not be limited to one event and should develop beyond experimentation. It takes time to organise a digital participation process properly and to have it run smoothly; this often implies several adjustments over time, to enhance user-friendliness for example.

2.5. Quantitative aggregation

It is a particular advantage of online participation practices that votes can be easily collected. Quantitative analysis of the contributions of participants was applied in the majority of the cases studied. It is most influential if used in votes on proposals, in order to prioritise an individual proposal, or when applied in elections or referenda. It might

be particularly worthwhile exploring voting combined with deliberative processes in more depth. Deliberation could enhance the quality of the input and the subsequent votes give an indication of whether the participative input has broad support or not.

2.6. An effective mobilisation and engagement strategy

This is probably one of the greatest challenges of e-participation, especially for the EU institutions, since EU citizens form a very large and diverse group of people. Moreover, mass media frequently act as important mediators when it comes to mobilising the general public at national and local levels, but they are unlikely to play a comparable role at EU level (owing to negative discourse about the EU and the differing national interests at stake in EU decision-making). An effective strategy always involves communication instruments tailored to different target groups.

3. Ways to improve existing tools at EU level

3.1. Improving the European Citizens' Initiative (ECI)

In formal terms, the ECI gives citizens a powerful agenda-setting tool. It allows them to contribute directly to the EU's agenda setting process, if specific conditions are fulfilled: for example, a proposal must fall within the remit of the Commission and gather at least one million votes. Furthermore, the existence of the instrument encourages active participation and citizenship, fosters public debate and supports the formation of a European public sphere. However, past experiences have shown that the system for the online collection of signatures lacks usability and, more importantly, the underlying legal constraints have done as much to block as to facilitate a culture of engagement with citizens. As of February of 2017, the ECI had produced only three successful initiatives since its implementation in 2012 (18 initiatives have failed to gather the necessary support, 14 have been retracted by the submitters, and 20 have been rejected on formal grounds). However, as recently as September 2017, a proposal was published for the revision of the ECI regulation, to take effect as of 1 January of 2020. The following options have been identified as holding the potential to further improve impact of this tool:

- *Support for ECI initiators' mobilisation efforts.* The ECI digital platform could be broadened (by adding online community functions as well as functions to support offline meetings) to allow civil society organisations to use it as a mobilisation and campaigning platform. The recent revision proposal has already made the first steps in this direction.

- *Increased ECI publicity.* Special efforts are needed to raise awareness of ECIs using the EU's communication channels as well as national media. While the revision proposal suggests improvements to the communication between the Commission, organisers and signatories, the strategy to raise public awareness of the existence of the ECI remains rather vague.

- *Improved support infrastructure for ECIs.* The high organisational demands could be reduced through legal advice, translations and funding. The question of translations has already been taken up by the revision proposal.

- *Simplified and harmonised personal data requirements in cooperation with Member States.* This has been identified as an important factor to dismantle participation hurdles. The effectiveness of the solutions suggested by the revision proposal should be assessed once the changes have been made.

- *A more detailed explanation of how proposals are used once they pass the qualification criteria.* What exactly is the formal process for processing proposals once they have passed?

- *A direct link to a specific formal policy agenda.* The ECI helps participants bring forward new ideas that do not necessarily relate to a specific existing formal policy.

- *Lessons learned from user experiences.* This can be achieved via user involvement and by working actively with local and national governments as well as NGOs to draw on their experiences.

3.2. Improving Your Voice in Europe (YViE)

YViE is a participatory mechanism linked to the EU decision-making process. It functions as the European Commission's single access point to a variety of citizen and stakeholder consultations and is currently being integrated into the 'better regulation' portal 'Contribute to law-making'. Since the report was drafted in February 2017, this integration process has progressed and the 'Your Voice in Europe' website now goes by the

name 'Consultations'. The public consultations take place primarily in the form of online questionnaires, and clear guidance on how stakeholder input is to be processed is provided by the better regulation agenda. The advantage of YViE lies in it being institutionalised and recognised by the Commission as an e-government tool for public policy. While there is a duty to consult, there is no obligation to use the consultation contributions. Listed below are ways to improve YViE's potential:

- *Do more to publicise YViE.* In order to raise awareness and help make consultations more accessible to the public, special efforts are needed via the EU's communication channels and national media.
- *Fully implement the plan to standardise the websites for different consultations and manage them centrally, alongside the ongoing redesign activities.* Unified appearance, appropriate questionnaire designs, to make basic questions on more technical issues accessible, and simpler visual guidance could help to reach out to the wider public.
- *Introduce opportunities for exchange and discussion among participants.*
- *Provide translations for consultation pages.*
- *Provide feedback via the YViE consultation website as well as via e-mail.*
- *Make use of data analytics to aggregate qualitative inputs and improve scalability.*
- *Open up back-end data while respecting data protection rules.* Making consultation data and processing tools available to the public could enhance transparency and public dialogue on EU policy decisions.

3.3. Improving the European Parliament's petitions system

The European Parliament's petitions web portal allows all European citizens to express their right to petition and to submit a petition via the internet. While this tool provides an important opportunity to communicate with the Parliament, several flaws should be corrected in order to render it more accessible and effective. The Parliament's petitions portal could benefit from the following improvements:

- *More back-office resources.* Whether through additional staff, additional technological support, or a mix of both, users would gain a much livelier experience of interacting with MEPs if the necessary back-office resources were available to ensure swift and qualified responses and interactions with users.
- *Simple tools to educate and mobilise.* Simple additional tools such as updates via text or e-mail, education on issues via video messages, ad hoc inputs via mini-polling, and visualisation of data and policy mechanisms would help greatly in keeping the attention of citizens and qualifying their input.
- *The provision of communication and mobilisation support for petitioners.* Since the Parliament's petitions portal tends to be more successful than the ECI and YViE in attracting the attention of non-organised citizens, it would be highly useful to provide these citizens with basic tools to mobilise support for their petitions (handbooks, free publicity mechanisms, etc.).
- *The addition of various functions for online deliberation.* A lot of pressure for staff and MEPs to respond directly to questions and petitions could be reduced if options for deliberation between participants were added to the portal, e.g. debate options, options for collaboration on petitions, voting both for and against, etc.

3.4. Investing in a unified European e-participation structure

Most striking looking across the board at e-participation at EU level is the weakness of follow-up and learning efforts that characterise the implementation of existing mechanisms. The core question for a strategy of improving participation while staying within existing formal frameworks seems to centre on what is the common unifying vision. As long as each of the existing mechanisms and experiments remain stand-alone mechanisms with discrete functions and implementation programmes, the EU will remain an opaque jungle to the average citizen. If, on the other hand, a unifying vision of moving gradually towards an organic European participation infrastructure was agreed upon by all the actors involved, the currently separate efforts of different institutions and services to open up European decision-making could begin to build on each other. It would, therefore be advisable to work towards a general European e-participation infrastructure, including for example a one-stop shop for e-participation to provide synergy between the EU institutions.

4. Options for new e-participation tools at EU level

4.1. Experiment with participatory budgeting in relation to the structural funds

E-budgeting produces the strongest results when it comes to influencing decision-making. The literature review also identified additional benefits, including improved public services, accelerated administrative operations, and better cooperation among public administration units. Face-to-face interaction and a certain rootedness in local situations is characteristic of all successful cases of participatory budgeting. The obvious option is therefore to make a link to the EU budget for the structural funds. The European Regional Development Fund and the European Social Fund both already assign significant decision-making authority regarding the spending of these funds to local or regional level.

4.2. Expand online engagement with MEPs beyond petitions

The introduction of a public tool for posing questions to MEPs and their staff and a blogging tool where MEPs can share work-in-progress and receive input from interested citizens are both valuable options. For these additional tools to have an effect on the relationship between European citizens and their MEPs, they would have to be strategically and technically integrated within social media and mass media.

4.3. Create a platform for monitoring Member State intervention during Council decisions

Much of the information needed to establish such accountability is already available, for example through the common EU web-platforms. However, key information is simply not available through ordinary channels. It would be beneficial to invest in a platform that is continuously fed with all information on Council and Parliament votes, and with the financial resources to make this data easily available to all EU-citizens, regardless of their proficiency in English.

4.4. Explore the crowdsourcing of policy ideas for the Commission

Early-stage policy development could benefit from the open and frank sharing of ideas between citizens, Commissioners and their staff. A crowdsourcing mechanism could help to facilitate interactions between citizens and decision-makers in an informal way. It would be a platform to gather ideas for policy formulation downstream, by giving decision-makers a forum for gaining immediate feedback on tentative ideas and considerations.

4.5. E-voting: invest in removing system vulnerabilities first

With regard to e-voting several challenges remain. Further developments are still needed concerning technical aspects, legal frameworks, security, transparency and verifiability, as well as oversight and accountability. At first sight, internet voting might be perceived as an opportunity to alleviate the EU's democratic deficit. However, as analysis of various instances of the introduction of internet voting within Europe show, these hopes have not been fulfilled. It is not only the convenience aspect that influences whether or not a citizen votes, but rather political reasons such as political interest or satisfaction with the political system. And regarding these kinds of challenges, internet voting is by no means a technological quick fix.

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