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WORKING DOCUMENT

on citizens' and civil society's participation in the Conference on the Future of Europe

Committee on Constitutional Affairs

Rapporteurs: Daniel Freund, Helmut Scholz

A. Overview of the proposals of Parliament, the Council and the Commission

Introduction

This Working Document on citizens' and civil society's participation in the Conference on the Future of Europe (hereafter 'the Conference') intends to offer some reflections, ahead of the start of the Conference, on the way in which Citizens' and Youth Agoras, as well as other forms of participation of citizens, could be organised in the Conference; on the feedback mechanisms between the different actors and discussion platforms at the Conference; and on the way in which civil society can be involved and contribute expert advice.

The positions of Parliament¹ and the Commission² on the Conference on the Future of Europe were adopted in January 2020, before the outbreak of the COVID-19 pandemic. In June 2020, Parliament adopted a second resolution on the Conference, in which it expressed regret that the Council had still not adopted its position and insisted that the Conference start as soon as possible in the autumn of that year. The Council subsequently adopted its mandate that same month³.

All three institutions have underlined the need for a bottom-up, inclusive and open process in which citizens can express their ideas and also shape the agenda of the Conference.

During the last legislature, EU institutions and bodies, as well as Member States, undertook various initiatives to engage with citizens, especially in the context of the Future of Europe debate. All three institutions have stated that they believe the Conference should build on different forms of citizens' dialogues and consultations held in previous years.

All institutions, bodies, representatives and stakeholders at national, regional and local level should share the responsibility of promoting the Conference. The objectives for involving citizens should be stated as concretely as possible, since they will also form the basis for the criteria of success.

Parliament has underlined that the institutions need to agree to apply methodologies to collect and process citizens' input that are uniform and consistent across all Member States and at EU level, in order to find an appropriate balance between a common format and diverse national approaches.

All three institutions have underlined that citizens should have a voice in shaping the agenda of the Conference. The Commission has made clear its wish for the discussion topics to be based on the EU's headline ambitions and for there to be a parallel policy and institutional strand in the discussions. The Council has stressed that the agenda should be policy-driven and focused on implementing the EU's strategic agenda and further developing policies in the medium to long term, with some ancillary discussions on cross-cutting issues related to the EU's ability to deliver on its priorities. Parliament has underlined that for the Conference to be a truly bottom-up process, there should be no limitations on the scope, policy fields or

¹ European Parliament resolution of 15 January 2020 on the European Parliament's position on the Conference on the Future of Europe, (texts adopted, P9_TA(2020)0010).

² Commission communication of 22 January 2020 on shaping the Conference on the Future of Europe (COM(2020)0027).

³ Council position of 24 June 2020 on the Conference on the Future of Europe.

methods of integration.

The Commission has suggested that deliberative panels be organised, gathering citizens and experts to discuss the contributions and views of stakeholders and elected representatives, with the aim of reflecting on how best to follow up on recommendations for action. It has also said that there is scope for a ‘European citizens’ panel’ to meet several times during the Conference and report back to the Conference with a list of proposals or recommendations.

Parliament has gone further in this respect with its proposals to organise thematic Citizens’ Agoras and a concrete interaction and feedback mechanism with a conference plenary, to which representatives of the agoras should be invited to present their proposals.

All three institutions have acknowledged the need for a concrete follow-up on the outcome of the Conference. This will be essential to ensure the dialogue with citizens is meaningful, and to establish – as the Commission put it – ‘the connection between citizens’ views and practical policy-making’.

B. Observations and avenues to be further explored

Objectives

The strong citizens’ participation component of the Conference will serve three complementary purposes:

- increasing participatory democracy through an inclusive and open process throughout the European Union;
- contributing to the further building up and shaping of a European public space through transnational European debates, fostering a culture of citizens’ participation between elections and revitalising European policy debates at national and regional levels;
- enabling the EU to focus reforms (of policies and institutions) on the issues considered most important by European citizens.

The model proposed should in particular build on previous experiences of citizens’ dialogues and citizens’ participation in the EU’s work and on the main recommendations that were drawn from them, notably the need to have clarity about the purpose of such exercises, to provide information about how their outcomes will be acted upon and to enhance their common EU-wide, transnational dimension. From the very outset, citizens must be able to understand and assess whether and how exactly their involvement and input will finally feed into political decision-making.

Concept

The participation of citizens and CSOs should be a key component throughout the whole conference process, including the agenda-setting process. Different online and offline tools and methods (debates, surveys etc.) should ensure that a wide range of people are reached and encouraged to participate in a bottom-up inclusive process by sharing ideas and identifying the challenges they want the EU to tackle. In the first phase, spanning a number of weeks, social partners, local authorities and civil society should aim to engage as many citizens as

possible in debates and events dealing with some of the possible themes to be discussed during the Conference. These multiple methods should be cross-checked for recurring themes and ideas. This should help to encourage citizens to submit their input for the agenda and the key topics online. In order to facilitate and structure the work of the Citizens' Agoras, the 'topics' should be selected carefully and formulated as questions that agoras will have to answer.

The thematic Citizens' Agoras and the Youth Agoras should be representative and composed of randomly selected⁴ citizens who will gather regularly throughout the process with a view to formulating recommendations. Their recommendations should be discussed by the different institutional pillars of the Conference. This possibility for the citizens involved to present their recommendations, and a feedback loop to ensure they can react to the conference outcome, will ensure a strong connection between the outcome of the Conference and the work of the Citizens' Agoras, without, however, civil society actors, citizens' councils and other stakeholders wielding any decision-making power.

Parliament's resolution of 15 January 2020 states that the Conference should seek ways of involving representatives of the EU candidate countries in discussions on the future of Europe. Beyond candidate countries, one could also explore if there could be ways to involve citizens from potential candidate countries, the European Economic Area (EEA) states, the United Kingdom and European Neighbourhood Policy (ENP) countries in some specific discussions, within the framework of their relations with the EU, as appropriate.

Young people are key stakeholders in Europe's future. Today's decisions will determine their future, and involving them in decision-making puts into practice our democratic values. It is therefore of utmost importance to actively involve young people in the Conference. This will require an intensive exchange between the EU institutions and young citizens from all the Member States. In concrete terms, young people from all over Europe should meet in order to discuss and exchange views on their priorities for European politics. As young people usually communicate differently, their voice is difficult to hear clearly in mixed-age forums or assemblies. Therefore, separate Youth Agoras should be set up and function in the same way as the other Citizens' Agoras.

A multilingual online platform with innovative participatory tools to allow citizens to share their ideas should be accessible to everyone and contain all the information about the Conference. The platform should also include a feature for recording public meetings or activities and publishing documents in all official EU languages. Civil society organisations (CSOs) and social partners should have their own dedicated space on this platform. Other actors like the EU institutions, political groups, European political parties, European social partners etc. should also be able to propose topics and make policy proposals on the platform. Furthermore, citizens should have the option to comment and support individual proposals on the platform. In this way, CSOs would have an incentive to mobilise as many of their members and followers as possible to join in the debates around the Conference. To start this process, the European Parliament, the Commission and the Council or the governing bodies of the Conference could draft a list of possible topics and questions. This draft list could then be complemented and amended by citizens, CSOs and other stakeholders, with due regard to

⁴ I.e. chosen by randomly selecting mobile and landline telephone numbers. Any EU citizen with a telephone number could be chosen, but there would be quotas to ensure a balance of genders, ages, locations and socio-economic backgrounds, as well as exclusion criteria, as mentioned on page eight.

the competences of the Union.

In addition, town hall meetings and other types of in-person meetings with citizens should be organised at EU, national and local level – if the COVID-19 pandemic situation allows – by institutions, bodies, governments, regional and local entities and stakeholders to help define topics/questions and policy proposals. Methodological guidelines should be available to organisers to this end. Moreover, there should be special Eurobarometer surveys to identify the topics citizens care about the most.

When the process of collecting proposals from different sources is finalised, the governing bodies of the Conference will propose topics for the Conference on this basis and draft the questions to be debated in the Citizens' and Youth Agoras. These proposals will be submitted to the conference plenary for debate and adoption. Each Citizens' Agora will then work on one topic chosen by the conference plenary.

During this phase, in addition to the Citizens' Agoras and Youth Agoras, other panels of committed citizens will also be able to start transnational, national and local debates about their visions for European policies on each theme. It will also be possible to organise special deliberative panels for youth representatives, including representatives from youth CSOs. CSOs will also be able to establish a CSO forum to contribute to discussions. In all Member States, the policy visions will be presented through the Citizens' Dialogues, with attendance of one or two high-ranking EU representatives. These policy visions will be submitted to the Conference, together with those of the thematic Citizens' Agoras, as part of the input in the deliberative stage.

Citizens' Agoras and Youth Agoras

Once the main topics have been selected, a number of Citizens' Agoras will have to work on the related questions with the aim of formulating policy proposals and recommendations to address them. They should be able to add questions to be addressed that fall within the scope of the relevant topic.

The composition of the Citizens' Agoras should be representative of diversity in the EU in terms of gender balance (aiming for an equal split), age (above voting age, cohorts for each 10-year age bracket), geography (Member States, regions and urban/rural areas), socio-economic status and level of education.

Parliament proposed agoras of 200-300 citizens with a minimum of three persons per Member State calculated in accordance with the principle of degressive proportionality, chosen randomly by independent institutions in the Member States. For the random selection to fulfil the defined quotas (gender, age cohorts, geography and socio-economic criteria), a European lead institution needs to centrally coordinate the process carried out by independent institutions in the Member States. With 235 citizens (one third of the number of MEPs per Member State), the same degressive proportionality as that of the European Parliament could be ensured, with at least two citizens per Member State representing different genders. In line with Parliament's resolution of 15 January 2020, criteria should be defined to guarantee that elected politicians, senior government representatives and professional interest representatives cannot participate in Citizens' Agoras.

There should be between three and six meetings and a mix of expert input in the plenary and

discussions in smaller groups. Citizens will need training on basic EU working methods and expert input, inter alia from CSOs. There should also be political input (parties or advocacy groups) during the meetings and in written form on topics discussed by agora members. Such input should be transparent and submitted at the beginning of the process before the citizens have their defining discussions. The process needs to be facilitated by professionals, who will bring out the views of everyone around the table. All input to the Citizens' Agoras should be publicly available to the broader public. Participants of the agoras should also have ample opportunity for discussion among themselves, including in small groups. All participants should be able to follow presentations and engage in discussions in their own language. In line with Parliament's resolution of 15 January 2020, they should be assisted in terms of reimbursing their travel and accommodation costs and, where appropriate, arranging for authorised leave of absence from their workplace and compensation for social costs (e.g. loss of income, day care and special arrangements for disabled persons).

With regard to the location, the European Parliament's position, adopted before the outbreak of the COVID-19 pandemic, favours agoras being held in different locations across the Union, with different participants for each one. As long as the health crisis persists, most activities will be online, which will require the provision of adequate technical means for participants and significant online and offline support on technical and practical issues, as well as opportunities to get to know each other. As soon as the conditions allow, Citizens' Agoras will be held in different locations across the EU. In any scenario, it may be a good idea to hold the first and/or final session in Brussels/Strasbourg to emphasise that this process is taken seriously by political decision-makers.

With regard to decision-making within agoras, voting should only be used if necessary to ensure that procedures are not blocked by a few individuals. The aim should be to decide by consensus. If that is not feasible, a qualified majority of two thirds will be required to endorse recommendations.

Gender mainstreaming and inclusivity must be ensured in all aspects of the organisation of the Conference.

Participants should lead and implement the writing of recommendations with the support of facilitators and thematic experts. Final recommendations⁵ formulated by the agoras will be recorded in the minutes taken by the Conference's secretariat.

The various recommendations should be ranked by Citizens' Agoras. The recommendations will be transmitted in writing to the conference plenary and published on the platform so that citizens and CSOs can comment on them (individually or as a result of in-person meetings, as in the listening/agenda-setting phase).

The agoras' work should be publicised to create a wider public debate and feed into the conference plenary's discussions. Representatives from the thematic and Youth Agoras are to be invited to the conference plenary to present their recommendations, follow the debate and

⁵ There should be a few recommendations – not hundreds of proposals. With only three or five recommendations, there would be something to focus on. Positions must be exchanged between the two levels of the conference as a form of public dialogue, allowing for the further development of positions/conclusions on the topics discussed in the agoras.

respond to possible questions.

After the conference plenary has given its feedback on the provisional recommendations of the agoras, the agoras will assess and further deliberate on the feedback received from the conference plenary and from citizens/civil society provided on the platform, and will then formulate its final recommendations to the conference plenary.

Treatment of the citizens' recommendations

When the Citizens' Agoras have presented their proposals, the conference plenary will deliberate on them, as one of the main input factors of the Conference, and seek to translate them into concrete proposals for policy or other changes, including treaty change. The representatives from the agoras will be allowed to stay during the discussion in the conference plenary and consideration should be given to ways in which they could give their feedback on the final recommendation made by the conference plenary. The institutional participants of the conference plenary will be responsible for translating citizens' recommendations into conference decisions. Citizens will also be able to comment on them on the platform. The success of the Conference will depend on the political follow-up on the proceedings and results of the Conference. The EU institutions and bodies and the Member States' governments and parliaments will therefore have to genuinely follow up on the proposals made (legislative, treaty change or otherwise), each according to its competences under the Treaties.

Within the European Parliament, the Committee on Constitutional Affairs (AFCO) could be made responsible for responding within a set timeframe (in Ireland a dedicated committee ensured the follow-up).

C. Summary of discussions in the Committee on Constitutional Affairs

The working document was discussed by the AFCO Committee on 3 December 2020 and on 27 January 2021.

During the exchange of views on the first draft on 3 December 2020, the rapporteurs underlined the importance of citizens being meaningfully involved throughout the course of the Conference, outlining their thoughts on citizens' involvement in the listening, agenda setting and deliberative phases, as well as their thoughts on the composition and working methods of Citizens' and Youth agoras and the feedback mechanism with the institutional pillar of the Conference, based on Parliament's resolution of 15 January 2020. They underlined furthermore the need for a concrete follow-up on the outcome of the Conference to ensure that citizens feel that their voice has been heard. The ensuing debate showed unanimous support for the meaningful participation of citizens in the Conference, with overlapping roles and responsibilities of the citizens and institutions being the main concern. The majority of Members spoke about the need for real interaction between the different pillars of the Conference, while clearly distinguishing the different roles of citizens and the institutions in the process and the follow-up on the Conference. Several Members mentioned the added value of the process in developing a permanent mechanism for citizens' participation in EU decision-making. Some of them raised the issue of the timeline, possible frequency and locations of the agoras, as well as further elements of citizens' participation (on-/off line, decentralised events throughout Europe, transnational character of debates) besides the agoras. Others underlined the need for focused discussions and concrete

proposals⁶.

During the second exchange of views on the revised text on 27 January 2021, the rapporteurs reiterated that citizens' participation – i.e. incorporating citizens and representatives from the organised civil society into the structure of the Conference – is at the heart of this exercise. They discussed with Members the changes made to the previous draft: substantially shortening the paper, filtering out ideas that are supported by a majority in the committee, some clarifications as to the feedback mechanisms and respective roles of the different participants and addressing specific issues raised by different Members in relation to, inter alia, possible ways to also include citizens from potential candidate countries, ENP countries, EEA countries and the UK in addition to citizens from candidate countries; CSO participation; exclusion criteria; reimbursement of costs of Citizens' Agora participants; and consideration of ways for agoras to give feedback on the conference conclusions. Most of the Members participating in the debate expressed satisfaction with the revised draft of the working document and expressed their strong wish that the remaining impasses will be solved so the Conference can start under the Portuguese Presidency. Some of them underlined once more the need for a concrete follow-up on the results of Conference, including the possibility of treaty change, in order not to create disillusion. One Member expressed concern about a possible one-sided focus on further EU integration⁷.

⁶ The following Members participated in the debate: Gabriele Bischoff - S&D, Pascal Durand - Renew, Danuta Hübner - EPP, Giuliano Pisapia - S&D, Paulo Rangel - EPP, Pedro Silva Pereira - S&D, Guy Verhofstadt - Renew, Włodzimierz Cimoszewicz - S&D.

⁷ The following Members participated in the debate: Pascal Durand - Renew, Angel Dzhambazki - ECR, Danuta Hübner - EPP, Niklas Nienass - Greens/EFA, Pedro Silva Pereira - S&D, Sven Simon - EPP, Domènec Ruiz Devesa - S&D.