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DRAFT REPORT

on Citizens' dialogues and Citizens' participation in the EU decision-making
(2020/2201(INI))

Committee on Constitutional Affairs

Rapporteur: Helmut Scholz

Committee on Petitions (*)

(*) Associated committee – Rule 57 of the Rules of Procedure

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MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on Citizens' dialogues and Citizens' participation in the EU decision-making (2020/2201(INI))

The European Parliament,

- having regard to Article 10(3) of the Treaty on European Union,
 - having regard to Article 11 of the Treaty on European Union,
 - having regard to its resolution of 15 January 2020 on the European Parliament's position on the Conference on the Future of Europe¹,
 - having regard to its resolution of 18 June 2020 on the European Parliament's position on the Conference on the Future of Europe²,
 - having regard to Rule 54 of its Rules of Procedure,
 - having regard to the opinion of the Committee on...,
 - having regard to the report of the Committee on ...,
- A. whereas according to several Eurobarometer surveys, a large proportion of EU citizens are not satisfied with the way democracy works in the EU and tend to distrust the EU institutions; whereas not only is this perception present at EU level, but also at national level;
- B. whereas a considerable proportion of EU citizens do not feel heard and consider the EU to be a distant entity;
- C. whereas Article 10(3) of the Treaty on European Union lays down that every citizen shall have the right to participate in the democratic life of the Union and that decisions shall be taken as openly and as closely as possible to the citizen;
- D. whereas the legal and political impact of the only bottom-up instruments for citizens in the EU, namely the European Citizens' Initiative (ECI), complaints to the European Ombudsman and petitions to Parliament, is rather minimal;
- E. whereas online public consultations carried out by the Commission are mostly aimed at a particular target group, meaning that they do not reach a significant proportion of the population;

¹ Texts adopted, P9_TA(2020)0010.

² Texts adopted, P9_TA(2020)0153.

- F. whereas Citizens' Dialogues conducted by the Commission are a way to provide information to citizens rather than to engage with them in a debate about their vision and what they would like to see change in the EU;
- G. whereas the existing participatory instruments, such as the ECI, public consultations and Citizens' Dialogues, do not provide very effective means for citizens to influence EU decision-making;
- H. whereas most forms of participation are generally used by organised interest groups and not by individual citizens; whereas individual citizens are largely unaware of the existing participatory instruments;
- I. whereas the current participatory instruments do not maximise the potential of citizens' participation when it comes to strengthening the democratic legitimacy of the EU and increasing citizens' sense of ownership towards an EU that reflects their needs and visions;
- J. whereas reforming the existing participatory instruments and further developing a European public sphere can contribute to reinforcing the democratic legitimacy of the EU;
- K. whereas there is a need to enhance the European dimension of citizenship education, by improving their understanding of the EU, in order to enable citizens' participation;
- L. whereas existing successful projects on citizen participation have demonstrated that citizens would like to be included in EU decision-making processes on a regular basis;
- M. whereas the Conference on the Future of Europe will provide valuable experience of engaging with citizens on a large scale, from which lessons will have to be drawn;
 - 1. Stresses the need to reflect on how the Union can become more democratic and effective; believes that a profound reform of the Union and possible changes to the Treaties, which would make the Union more effective, united, democratic, solidary, sovereign and resilient, are strengthened by directly engaging with citizens;
 - 2. Points out that the existing participatory instruments should be improved to make citizens' participation more accessible;
 - 3. Underlines the benefit of engaging with citizens in the development of a European public sphere and in the reinforcement of the democratic legitimacy of the EU;
 - 4. Emphasises that the EU institutions have to be informed of citizens' concerns and need to be more attentive to these concerns;
 - 5. Underlines the need to engage with young people in particular in a political debate on the future of Europe, as today's decisions will determine their future;
 - 6. Stresses the need for permanent participatory mechanisms to allow for citizens' participation in EU decision-making;

7. Highlights the fact that regularly held citizens' dialogues could serve different purposes, such as determining annual political or legislative priorities, developing specific proposals in relation to specific questions, discussing institutional matters or deciding on the spending of certain public resources;
8. Recalls that citizens' dialogues should intend to provide a means for individuals to express their ideas and concerns; underlines the fact that they have to be participatory, inclusive, open, deliberate, transnational, transparent, accountable, effective, visible and attractive;
9. Emphasises that, in order to reach out to as many citizens as possible, an inclusive approach must be taken; underlines the fact that the selection of participants should ensure a well-balanced representation of the population, so that the societal diversity is fully reflected;
10. Highlights that civil society organisations should play a major role in participatory instruments; underlines the fact that, in order for such instruments to be successful, the Committee of the Regions (CoR) and the European Economic and Social Committee (EESC) must be involved;
11. Stresses that the purpose of citizens' dialogues must be communicated from the very beginning in order for them to be effective;
12. Recalls that, prior to the launching of these dialogues, the EU institutions must commit themselves to following up on their outcome in the light of their competences and legislative procedures; notes that citizens' disappointment often stems from politicians over-promising and under-delivering;
13. Stresses that the outcome of the participatory process must be clearly defined, so that it can be subject to a legally binding follow-up; proposes that participants should be provided with written feedback at the end of such exercises, since they ensure the accountability of the institutions and the credibility of such processes;
14. Believes that citizens' participatory processes must adhere to the highest possible level of transparency;
15. Highlights the need to establish a proper follow-up mechanism for citizens' dialogues in order to take citizens' input seriously; proposes that part of the follow-up could be to translate the outcome into initiative reports and public hearings and to involve citizens throughout these steps;
16. Proposes the setting up of an independent civil society forum in order to monitor the process and its follow-up by the EU institutions;
17. Proposes the establishment of an independent civil society organisation or foundation that brings together different democracy initiatives and that focuses on making citizens more influential in policy-making;
18. Proposes that the Commission's 'Have your say' website becomes a one-stop resource granting access to all participatory instruments;

19. Welcomes the proposal from the Presidents of the EESC and the CoR to set up an interinstitutional working group on citizens' participation in EU decision-making processes;
20. Proposes the introduction of a citizens' consultations mechanism for pilot projects, since this would enable citizens to be involved in the shaping of the expenditure side of the Union's budget and would therefore pave the way towards creating a participative budget at EU level;
21. Stresses the need to permanently include citizens in the structural reforms of the EU by reforming the Convention method as provided for in Article 48 of the Treaty on European Union; proposes that this be discussed in the Conference on the Future of Europe;
22. Instructs its President to forward this resolution to the Council and the Commission.

EXPLANATORY STATEMENT

Reasons for engaging with citizens

According to several Eurobarometer surveys³, an important part of the European population is not satisfied with the way democracy works in the EU and tends to distrust the EU institutions. Despite a higher turnout in 2019, especially amongst young people, participation in European elections remains low. A considerable proportion of citizens does not feel heard and considers the EU to be far away. In order to address this perception of remoteness, it is crucial to engage with citizens in debates on EU policies. Such transnational discussions are essential for developing a European public sphere and reinforcing the democratic legitimacy of the EU. Currently, the European Citizens' Initiative (ECI), complaints to the European Ombudsman and petitions to the European Parliament are the only bottom-up instruments, with which citizens can challenge policies or institutions in the EU. Consequently, through continued dialogues with citizens a new public forum should be established to increase their influence on EU policy-making.

Objectives when engaging with citizens

The aim of citizens' participation is to increase the sense of ownership among citizens towards an EU that reflects their needs and visions. Specific objectives are:

- to create participatory instruments that offer individual persons a possibility to express their ideas and concerns and meaningfully contribute to shaping the future of the EU;
- to give opportunities for discussions and deliberations among citizens as well as between citizens, politicians, stakeholders and experts, while allowing a plurality of opinions and perspectives as well as a balanced and diverse participation of citizens;
- to ensure that all participatory instruments focus on EU policies and include transnational exchanges of views between citizens from different Member States;
- to develop permanent participatory mechanisms that become regular and frequent exercises and an integral part of the EU decision-making process.

Experience with participatory initiatives

In the past years, EU institutions have taken various initiatives to engage with citizens, such as the online consultation on the Future of Europe carried out by the Commission and the biennial European Youth Event hosted by Parliament. EU bodies have also organised citizens' consultations, such as the consultation initiative "Reflecting on Europe" conducted by the CoR and national consultations called "EESC consultations on the future of Europe" held by the EESC. At national level, Member States have simultaneously carried out "European Citizens' Consultations" in their respective countries. Other participatory initiatives run at different levels of administration are analysed in a recently published EPRS study⁴. There are also projects organised by citizens' movements, such as "European HomeParliaments"⁵, introduced by "Pulse of Europe".

The largest endeavour in citizens' participation at EU level is to be made with the Conference

³ See for example Standard Eurobarometer, EB93, 2020.

⁴ The practice of democracy - A selection of civic engagement initiatives, Study EPRS, June 2020.

⁵ <https://homeparliaments.eu>

on the Future of Europe, which should become an opportunity to closely involve citizens in a bottom-up exercise, this being an important condition for its success. It will provide valuable experience of engaging with citizens on a large scale, from which lessons will have to be drawn in the future.

Shortcomings of existing participatory instruments

The ECI is an important instrument of participatory democracy. However, independent assessments on the ECI conclude that its legal and political impact has been minimal⁶. While 76 ECIs have been registered since 2012, only six of them have reached the threshold of one million signatures and therefore have been examined by the Commission. The lack of an obligation to follow up on successful ECIs is one of the reasons for the limited effects of this instrument.

The European Ombudsman, whose role is to improve the protection of citizens in connection with cases of maladministration at EU level, contributes to the improvement of transparency and democratic accountability in the decision-making and administration of the EU. However, its mandate is not about enhancing citizens' participation in EU decision-making. Furthermore, the European Ombudsman's role is not often understood or known at local and national level.

Petitions to the European Parliament are an increasingly popular instrument of challenging the application of EU law. However, its impact on policy-making in the EU is rather limited, since its aim is not about citizens' participation in legislative processes of the EU.

Art. 11(3) TEU obliges the Commission to carry out broad consultations with parties concerned in order to ensure that the Union's actions are coherent and transparent. Therefore, the Commission holds public online consultations in order to allow citizens to give their feedback on EU policies and laws, which is supposed to be taken into consideration in the decision-making. Although participation is open to any individual citizen, the Commission usually identifies a target group according to the policy concerned, so that participants are mostly organised interest groups. Furthermore, the Commission self-selects its topics for public consultations.

Pursuant to Art. 11(2) TEU, the Commission conducts Citizens' Dialogues, which bring citizens together with representatives from EU institutions and bodies as well as national, regional and local politicians. Even though any person can participate, these events tend to attract citizens already interested in EU politics. Since the meetings mainly consist of questions and answers, they do not lead to a real exchange of views. Moreover, the input received from citizens is not fed into EU decision-making. Therefore, Citizens' Dialogues rather serve to inform citizens than to engage with them in a proper debate that will have an impact on the political agenda of the EU.

Development of permanent participatory mechanisms

The existing participatory instruments do not provide very effective means for citizens to

⁶https://www.europarl.europa.eu/RegData/etudes/STUD/2014/509982/IPOL_STU%282014%29509982_EN.pdf
https://www.europarl.europa.eu/RegData/etudes/STUD/2015/519240/IPOL_STU%282015%29519240_EN.pdf
[https://www.europarl.europa.eu/RegData/etudes/STUD/2018/615666/EPRS_STU\(2018\)615666_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2018/615666/EPRS_STU(2018)615666_EN.pdf)

influence EU decision-making and do not exploit the full potential of citizens' participation for strengthening the democratic legitimacy of the EU. In order to develop permanent mechanisms for citizens' participation, an inter-institutional working group should be established, as suggested by the Presidents of the CoR and the EESC. Regularly held citizens' dialogues could serve different purposes, such as determining annual political or legislative priorities, developing concrete proposals in relation to specific questions, discussing institutional matters on a continual basis, like the lead candidate system and transnational lists, or deciding on the spending of certain public resources.

Each of these exercises would need a special design that must be adapted to the purpose of citizens' participation. The choice of the design is particularly relevant at EU level because of the complexity of EU affairs and the general lack of knowledge about the functioning and the decision-making of EU institutions. There is also a need to enhance the European dimension of citizenship education in order to enable citizens' participation.

Phases of permanent participatory mechanisms

Preparatory phase

In order to engage as many citizens as possible an inclusive approach must be taken. Citizens' participation should include not only EU nationals, but also EU residents. Special attention should be paid to the involvement of young people. The selection of participants should ensure a well-balanced representation of persons from different ages, genders, socio-economic and educational backgrounds, including minorities, so that the diversity of societies is fully reflected. Participants must come from different countries of residence, including from rural and remote regions as well as from EU candidate countries. Furthermore, persons with different opinions about the EU should be involved in these exercises.

Civil Society Organisations (CSOs) should play a major role in participatory instruments, since they are able to reach out to all kinds of citizens, including marginalised groups. For the success of such instruments, it is also essential to involve the CoR and the EESC. Moreover, existing EU networks and agencies should be included to raise awareness about and to facilitate participation in such exercises, notably through a Civil Society Convention, composed of European Platforms of associations that include national platforms and networks.

It might be useful to implicate citizens from the outset in the designing of such mechanisms. They could have a say on the scope and the structure of the process as well as on its follow-up. Above all, they should be able to set the agenda and prioritise the issues to be discussed. The early involvement of citizens increases the legitimacy of the exercise. It can also improve public understanding and awareness of the instruments.

In order to engage different types of participants, a combination of online and offline methods is needed. Recourse should be taken to already existing online tools of citizens' participation. The »Have your say« website of the Commission could become a one-stop resource granting access to all instruments of participative democracy. In-person events should be organised throughout the EU, including in rural and remote areas.

For the effectiveness of citizens' dialogues, it is important to communicate their purpose from the very beginning. Prior to their start, the EU institutions must commit themselves to follow

up on the outcome of the citizens' participation in order to avoid a sense of disappointment and frustration at the end of the process.

Implementation phase

The topics for discussion should not be too vague, but rather focus on specific policy issues. They must be covered by EU competences, while being in full respect of EU values. Discussions should be clearly structured according to the topics to be debated. Participants should be supported by experts, who could provide guidance and assistance by presenting subjects or evaluating proposals. Debates should be neutrally moderated, without pre-empting discussions. There could also be discussion rounds between CSOs advocating on either side of the topic, before citizens deliberate and conclude.

Citizens' participatory processes must respect the highest possible level of transparency. Events should be livestreamed, recorded and made publicly available. The related documents should be published in all official EU languages. Citizens' dialogues need to be publicised at local, national and EU level, by using all available means, analogue and digital. Furthermore, citizens' dialogues should have their own visual identity, and use a single multilingual online platform.

Follow-up phase

The outcome of participatory mechanisms must be precisely defined, so that it can be subject to a legally binding follow-up. Participants should be provided with a written feedback at the end of the process. EU institutions should explain in detail, which of the citizens' proposals will be adopted or will be rejected, and give their reasons for these decisions. Such a feedback ensures the accountability of the institutions and the credibility of the process.

Additionally, the outcome could be presented to citizens in a setting similar to democracy festivals, with the participation of representatives of EU institutions and CSOs. Part of the follow-up could be to translate the outcome of the process into initiative reports or public hearings.

An independent Civil Society Forum should be set up in order to monitor the process and its follow-up by the EU institutions. This Forum should consist of CSOs across Member States and should be regularly invited to give input throughout the process, finalised by a report. Furthermore, sufficient EU funds should be made available for these dialogues.

Citizens' consultations on proposals for Pilot Projects

In order to spark an idea of participative budget at EU level, a mechanism of citizens' consultations on Pilot Projects (PPs) could be introduced. PPs enable the Parliament, the Commission and the Council to propose new budgetary lines to the Union's annual budget in order to finance new ideas and projects, for which there is no legislative basis (provided the actions fall within the competences of the Union). The consultation process should ensure that citizens or civil society can add proposals for PPs to those already declared by EU institutions.

ANNEX: LIST OF ENTITIES OR PERSONS FROM WHOM THE RAPPOREUR HAS RECEIVED INPUT

The following list is drawn up on a purely voluntary basis under the exclusive responsibility of the rapporteur. The rapporteur has received input from the following entities or persons in the preparation of the draft report:

| Entity and/or person |
|--|
| Citizens Take Over Europe |
| Civil Society Europe |
| Democracy International |
| European Citizens' Initiative e.V. |
| European Committee of the Regions (CIVEX Commission) |
| European Democracy Lab |
| European Economic and Social Committee |
| European House, Hungary |
| European Ombudsman |
| Europe's People's Forum |
| Pulse of Europe |
| RegioParl |
| Values Unite |
| Young European Federalists |