The Future is Now – What next after the Conference on the Future of Europe?

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The Conference on the Future of Europe (CoFoE), originally proposed by President Emmanuel Macron in 2019, has been an unprecedented transnational experiment in deliberative democracy that kicked off on Europe Day 2021 and ran for one year. The Conference has been a complex process involving 800 randomly selected citizens as well as representatives from EU institutions and other EU bodies, national governments and parliaments, social partners, and civil society organisations. In the end, this process produced a plethora of ideas and recommendations in areas that will determine the future of Europe: from climate change and the environment, to health, social justice and equality, economy and security, digitalisation and democracy, as well as values and culture.

But although the Conference officially ended on 9 May 2022, the post-Conference process and the overall debate on the future of Europe has clearly not come to an end, especially now that the EU and its members have entered a new era following the Russian invasion of Ukraine on 24 February 2022. Although we can draw some key lessons from the experience, it is still too early to make a final assessment, as the Conference's overall balance sheet will ultimately depend on the changes it will bring about when it comes to reforming the European Union both in policy terms and regarding its future governance structure.

So, what are the key lessons one can derive from the Conference? What must happen to make sure that its outcome will be translated into tangible actions reflecting the *Zeitenwende* that we are experiencing since 24/2? And how can the Union enhance and modernize EU democracy by moving towards a higher level of citizens' participation?

Key lessons from the Conference experiment

The Conference on the Future of Europe aimed to give Europeans a say on what they expect from the EU and provide them with have a greater role in shaping the future of the Union. But what are the main lessons from this transnational experiment of citizens' participations and how can future processes profit from this experience?

Key lesson # 1 – long list of ambitious proposals, but lack of visibility and political support

The Report on the Final Outcome of the Conference on the Future of Europe (final report) covers nine broad areas¹ and brings forward a list of 49 proposals including 326 measures.² The proposals mirror the outcome of citizens' deliberations that took place in the framework of four European Citizens' Panels (ECPs) involving a total of 800 randomly selected citizens from all over the EU. The measures proposed in the final report are not spelled out in concrete detail. However, in sum they clearly point towards a higher level of European integration, as an implementation of the recommendations would require a substantially increased level of cooperation among EU member states. As such, the outcome of the Conference has shown that citizens are willing to go further than their governments, which often hesitate to pursue ambitious innovations at the Union level.

However, it is by no means sure that the Conference will enhance the political pressure needed to implement EU reforms, given that the CoFoE did not attract much public interest and lacked political support. The Conference suffered from a low level of visibility as most Europeans are not even aware that it took place. The meetings of the ECPs and the Conference Plenary, which brought citizens together with representatives of European and national institutions, failed to generate excitement among the wider European public and the media, who did not report widely about the Conference.

In addition, from its outset, the Conference lacked a sense of purpose and strong commitment from all member states. The European Parliament (EP), the Commission and national governments had different opinions about the ultimate purpose and objectives of the Conference. Most member states were

critical of the overall idea, expressing fears that the endeavour might raise expectations that the Union and its members would not be willing or able to fulfil. By initiating a debate about the 'future of Europe' without ensuring the support of all those involved, the Conference got off on the wrong foot.

Key lesson #2 – strong citizens' involvement, but lack of purpose and insufficient links to the (sub-)national dimension

Despite the lack of public interest and political support, the enthusiasm of the participating citizens gave the Conference a solid lifeline. The Citizens' Panels were able to actively engage citizens, broaden their perspectives and leave a long-lasting impression on them. When asked for their feedback on the process, almost all citizens expressed their excitement and satisfaction with the proceedings. They appreciated the opportunity to voice their opinions and ideas and to engage with policymakers and fellow citizens from other EU countries. Their motivation and patience, even when faced with some technical or logistical hitches, confirmed the important democratic function that deliberative processes can fulfil.³

But while citizens were strongly engaged in the Conference, many of them were asking themselves whether their ideas, contributions and proposals would, at the end of the day, make a difference. The circumstance that the overall purpose of the Conference was not clearly spelled out from the outset raised questions about the Conference's potential effects on EU policymaking. In future, it will thus be important that the overall purpose and objective(s) of citizens' deliberations will be spelled out as concretely as possible from the beginning. This clarification is also needed to ensure the buy-in and shared commitment of EU institutions and member states, given that they are the ones ultimately responsible for translating the outcome of citizens' deliberations into concrete policy decisions at the European and national level.

Another key lesson from the Conference experience is that transnational deliberations were not effectively linked to debates happening in the member states. Those who participated in the ECPs and in the Plenary were largely unaware of the Conference's national dimension. The absence of systematic links between the different levels of deliberation – from the local, regional, national to the European level – was a key structural deficit of the Conference. Without a common methodological framework, national debates did not reflect transnational discussions in the Conference either. Moreover, since every country was free to conduct events if and as they wished, it was essentially impossible to compare and link national debates with each other. In future exercises it will thus be necessary to enhance the links between transnational and (sub-)national debates. To foster wider European debates across national

frontiers, it will be necessary to intensify debates on EU-related issues in the member states and link these discussions with debates in other member states and at the European level.

Key lesson # 3 – inclusive approach, but lack of time and concreteness

The Conference allowed for bottom-up deliberations involving 'ordinary' citizens from all over Europe. People were randomly selected from across all member states to represent the EU's sociological diversity according to five criteria: geographic origin, socio-economic background, level of education, gender, and age. Observers have critically noted that the final sample of citizens under-represented minority groups and over-represented well-educated people. However, in the end, the selection process did make the grade when considering the substantial challenge of getting 800 citizens to commit to attending (both in-person and online) a demanding deliberative process that extended for months, while the Conference proceedings had also to cope with practical complications linked to the COVID19 pandemic.

However, deliberations in the ECPs and the Conference Plenary were burdened by a lack of time and concreteness. Although the Conference managed to come up with a plethora of proposals and measures, the limited time citizens had to deliberate as well as the wide scope of themes discussed in the Conference made it difficult for participants to go into depth. Both factors affected the quality and outcome of deliberations, especially given the fact that citizens lacked basic information about EU institutions, their functions and competences, and the decision-making process in general, let alone details about the current state of play in each of the multifaceted policy fields they were asked to discuss. Consequently, participants tended to exchange random points instead of having a more informed and in-depth exchange that would have led to more tangible recommendations. The breadth and depth of the broad themes discussed were too large to be able to raise citizens' awareness about the different issues or have proper deliberations during the sessions.

In addition, the process has shown that bringing together citizens and representatives is no simple task, as the exchanges in the Conference Plenary and individual Working Groups have on many occasions exemplified. Although the interaction between the citizens and the representative dimension improved over time, this particular challenge deserves more attention and analysis if one aspires to improve the way citizens and representatives will cooperate with each other in future deliberative exercises. Overall, the experience of the Conference has shown that future forms of citizens' participation should give participants more time and avoid broad topics by making the

subject(s) discussed as precise as possible. If the aim is to come up with ideas and suggestions, a narrower topic and more specific questions would lead to more tangible outcomes.

The post-Conference process – what next?

The Conference officially ended on 9 May with a celebratory event in Strasbourg, when the final report was handed over to the Presidents of the EP, Commission and Council. But the post-Conference process is already underway and the debate on the future of Europe has become more important than ever. In this context, it is now important to do two key things: first, to translate the outcome of the Conference into tangible actions reflecting the priorities of the changed environment we are confronted with following the invasion of Ukraine. Second, to make sure that the EU continues its path towards a higher level of citizens' participation in an effort aiming to modernize EU democracy by responding to the increasing calls to provide citizens with enhanced opportunities to shape policy outcomes in the European Union.⁴

The implications of the Zeitenwende and the need for a Wise Wo|men Group

Following the end of the Conference there is a need to make sure that its recommendations are translated into concrete actions that reflect the realities of the new era we live in. Russia's invasion has radically changed the continent's geopolitical and geoeconomic environment and this needs to be reflected in the Union's way forward. Not only has the war opened a new major chapter in the "permacrisis", which the EU (and others) have been facing over the past decades. It also represents a structural break with the past, profoundly disrupting Europe's security architecture and undermining fundamental assumptions in most areas of EU policymaking.

In its reactions to Russia's invasion the EU has been more decisive, united, and faster than in previous crises. Together with its allies, the Union and its members have provided important military, economic and humanitarian support to Kyiv and put severe economic pressure on Moscow to stop its atrocities in Ukraine. Yet, the recent difficulties surrounding the agreement of the EU27 on the imposition of an oil embargo against Russia reveal increasing differences among EU governments – differences that also reflect some more fundamentally diverging views on how to deal with the *Zeitenwende* that we are experiencing since 24 February.

While the EU has managed to survive previous chapters of the permacrisis, it has not been able to make the far-reaching structural changes necessary to address the underlying causes and multiple consequences of the crises that Europe has experienced in the past 15 years. But this time there is a need to seek and identify more durable solutions. Europeans should not find themselves in a position further down the line, where they will question themselves why they did not act earlier, more decisively and more forcefully. Today, many are asking themselves why the EU and most member states did not draw the right conclusions already in 2008 or in 2014 – this should not happen again.

Although the EU and its members have reacted more decisively to the war of aggression than many expected, this is not the time for self-congratulation. The EU27 need to do more: EU institutions and member states should expect and prepare for the worst to avoid the worst – this was the approach taken in the context of the COVID19 crisis and this motto should again guide the Union's actions after the *Zeitenwende*.

But the reactions of three main EU institutions to the Conference on the Future of Europe have been a mixed bag. The EP responded strongest to the Conference outcome as a vast majority of parliamentarians called for the initiation of the ordinary revision procedure (Article 48 Treaty on the European Union (TEU)) including a Convention, noting that several of the proposals require amendments to the EU Treaties. The Commission has categorised the Conference proposals and declared that it will announce "new proposals" when President von der Leyen will deliver her State of the Union address in September 2022. In addition, the Commission has announced that it will propose ways to ensure citizens are given a "closer role in EU policymaking".

Compared to the EP and the Commission, national governments have reacted very defensively to the Conference outcome. At the EU Summit on 23/24 June 2022, the European Council simply took note of the proposals set out in the Conference's final report, while EU leaders had no in-depth exchange about the measures brought forward by citizens and did not agree on potential next steps in the post-Conference process.⁹ The European Council has not clarified how it intends to react to the proposals/measures that came out of the Conference; and the Council has merely published a table with a "preliminary technical assessment" of the proposals and related specific measures contained in the final report.¹⁰

The collective reaction of the EU27 to the Conference has been insufficient both with respect to the expectations of citizens and in view of the watershed moment we witnessed on 24 February. Given the call for reforms coming from citizens and considering the necessities resulting from the *Zeitenwende*, the EU27 should have the political will and stamina to prepare the Union for the new era — with no taboos when it comes to im-

plementing major policy innovations and establishing more effective governance structures. To do so, the EU should demonstrate both unity and ambition along a concrete reform path.

As EU leaders are not (yet) ready to agree on an adequate follow up to the Conference, the European Council should put in place a Wise Wo|men Group – including both experienced political heavyweights and representatives of younger generations – tasked with identifying core policy priorities and governance reforms that reflect current imperatives as well as the outcome of the Conference. A Wise Wo|men Group could help EU leaders to agree on a list of urgent policy innovations, identify ways to improve the Union's governance structure, and forge a detailed reform roadmap.

Several policy topics demand particular attention. The list should include the Union's approach toward its neighbourhood and enlargement (in light also of the decision to grant Ukraine and Moldova candidate status), as well as the EU's role in defense investments and the scope of its mutual defense clause (Article 42.7 TEU). There is also the need to redefine radically the Union's energy dependence and its efforts to counter climate change, which are related to the EU's economic resilience and strategic autonomy in core areas.

Regarding potential governance reforms there is a need to make progress also with respect to different other aspects mentioned in the final report. The list should include efforts aiming to strengthen the protection of basic values and principles such as the rule of law, and to improve the Union's decision-making capacity through extended use of qualified majority voting in the Council. Finally, the Group should also consider how to deepen EU democracy by balancing the benefits of representative institutions with the need to enhance citizens' participation in the Union's policymaking processes by adding new instruments to the existing toolbox (see also next section).

Many reform objectives can be accomplished under the existing EU Treaties. But the Wise Wo|men Group might conclude that some innovations will also require treaty amendments to ensure that the EU will be structurally able to respond swiftly to current and future challenges. In this case, the Group should compile a list of specific changes. Identifying such amendments could help ensure that future efforts to adapt the Union's primary law will differ from the experience of the Constitutional Convention in 2002/2003, as these efforts would adhere to a more clearly defined mandate and limited timeframe.

Potential additions to the EU's participation toolbox

Participatory democracy is here to stay. EU institutions and governments can ill-afford to merely pay lip service to the need to

enhance democratic participatory processes. They must offer them concretely in the day-to-day policymaking of the EU while ensuring that the outcomes of citizens' deliberations find their way into actual policy practice. New spaces should be created where citizens can inject opinions, ideas and recommendations directly into EU decision-making; spaces that go beyond the existing consultation mechanisms. The Conference experience has shown that randomly selected citizens can work together to deliberate on policy concerns relevant for Europe's future. They have proven that they are able to provide input that often exceeds the established silos of policymaking and comes up with policy suggestions that are more ambitious than the ones supported by EU governments.

The Conference should not be a one-off experiment. Ultimately, the process of enhancing the participation of citizens should be about changing the Union's democratic culture: an adapted mindset is required not only in EU institutions but at all levels of governance and among citizens.

The final report calls on the EU to develop new citizens' participation mechanism¹³ and periodically hold Citizen's Assemblies. ¹⁴ There is now a need to translate these general recommendations into concrete actionable proposals reflecting the lessons learned from the Conference. The Conference experience does not call for a 'CoFoE 2.0' further down the line. However, it does contribute a great deal of knowledge about the dos and don'ts of deliberative processes that should guide future efforts to establish new forms of citizens' participation at the European level.

When seeking new ways of citizens' participation, the Union should follow a functional approach aiming to enhance the involvement of citizens in key moments of EU policymaking. Instead of putting in place a permanent citizens' assembly, the Union should add specific deliberative instruments to its democratic repertoire that will make a difference in key phases and moments of the EU's policymaking cycle. Four proposals aiming to enlarge the Union's existing participatory toolbox seem particularly relevant: (1) European citizens' deliberations on key legislative proposals; (2) multilevel citizens' deliberations on major transformative topics; (3) 'big tent' for a on the EU's strategic priorities; and (4) European citizens' deliberations in conjunction with a European Convention.¹⁵

<u>Proposal #1 – European citizens' deliberations on key legislative proposals</u>

This instrument of citizens' participation should offer citizens the opportunity to provide input on key legislative proposals presented by the Commission. What is needed is a deliberative process where a group of randomly selected citizens from all

member states are given the time and resources to contribute more meaningfully to the main orientations and concrete elements of key legislative proposals brought forward by the Commission.

The implementation of this proposal would not require any legal and/or legislative changes¹⁶ and given its exclusive right of initiative, it should be the Commission that determines whether a consultative deliberation should take place, depending *inter alia* on the potential public interest in the subject at hand and key policy issues identified in the EU's strategies priorities. In her speech at the final event of the Conference, President von der Leyen announced that the Commission "will enable Citizens' Panels to deliberate and make recommendations ahead of certain key proposals".¹⁷ Now it remains to be seen what she will announce in more concrete terms at her State of the Union address in September.

<u>Proposal #2 – multilevel citizens' deliberations on major</u> <u>transformative topics</u>

Given the political challenges related to the implementation of major transformative projects, there is a need to raise public awareness about the potential benefits and costs of certain strategic policy decisions. In addition, there is also a need to increase people's buy-in, while simultaneously upholding pressure when it comes to implementing policy decisions into concrete action at the European and (sub)national levels. Citizens' deliberations on major transformative topics can help to generate EU-wide public pressure to develop concrete policy proposals. They would take the public's pulse on difficult policy choices and help Europeans understand and exchange positions and arguments with citizens from other EU countries.

The instrument, which could be implemented on the grounds of the current Treaties, ¹⁸ should involve EU-wide, multilevel citizens' deliberations that concentrate on major transformative topics, including those identified as the Union's strategic priorities for the upcoming politico-institutional cycle. To foster a structured debate at different levels, the multilevel process should foresee local, regional, national, and European citizens' panels involving different sets of randomly selected citizens dealing with strategic challenges for Europe's future, like the 'green transition' or the 'digital transition'.

The key findings and recommendations of European citizens' panels on major transformative topics should be discussed with representatives of EU institutions, national parliaments, other EU bodies and civil society organisations in the context of a Plenary bringing together the citizens' and representative dimensions, including elected representatives from the regional and local level. The outcome of these multilevel deliberations (subnational, na-

tional, transnational) should be summarised in a final report, to which the EU institutions should be obliged to respond.

Proposal #3 - big tent fora on the EU's strategic priorities

The EU's answer to democratic challenges cannot only come in the form of new participatory instruments that are limited to citizens. Part of the answer must also emerge from improvements of the Union's existing multilevel governance structures and stronger interaction between citizens and different levels of elected representatives.

The EU should thus examine the possibility of creating 'big tent' fora, where randomly selected citizens and elected representatives from different policy levels gather every five years to discuss the Union's strategic agenda. Such fora could involve 500 to 600 members from all over Europe made up of citizens and a cross-section of elected representatives from all levels of European and (sub)national policymaking. The big tent fora would convene them to identify the EU's potential strategic priorities for the upcoming politico-institutional cycle.

Aiming to inspire debates about the Union's next strategic agenda in the electoral campaign before the 2024 European elections, participating members should in the first half of 2023 brainstorm on the key challenges that could impact the EU over the next decade and be asked about the priorities the Union should focus on in the upcoming cycle. The objective would not be to go into detail about how these priorities should be translated into concrete policy objectives or legislative proposals. Participants should rather present an overview of what they believe the EU should concentrate on in the years to come.

<u>Proposal #4 – European citizens' deliberations in conjunction</u> <u>with European Conventions</u>

This option would allow citizens to provide input to any future European Convention in the context of the EU's ordinary revision procedure (Article 48 TEU). The establishment of a European citizens' panel ahead of a Convention, involving randomly selected citizens from all over Europe (including potential future EU countries), would embed citizens' participation in future efforts aiming to revise the Union's primary law.²⁰

In terms of content, the list of topics deliberated would reflect the proposals brought forward by member states, the EP or the Commission. This process would allow citizens to focus on a specific set of questions/issues without predetermining the outcome of their deliberations while also allowing them to insert their own topics into their deliberations and final recommendations. The outcome of deliberations should be summarised in a final report for the European Convention to enrich and inspire the discussions among Convention members, including representatives of national parliaments, EU governments, the EP and the Commission. 'Ambassadors' from the European citizens' panel should participate in the proceedings of the Convention as observers.²¹

The above four proposals are neither exhaustive nor mutually exclusive as they can be combined to offer both top-down and bottom-up approaches to participatory democracy in the EU. Overall, the objective is to achieve a gradual cultural change in EU democracy that EU institutions and member states support. Governments should thus endorse and actively promote the process of moving EU democracy to another level by adding new elements to the Union's citizen participation toolbox as complementary add-ons to the representative dimension of EU democracy.

Conclusions

The Conference on the Future of Europe has been an unprecedented experiment in transnational deliberative democracy. But the conclusion of the Conference does not mark the end of the debate on the future of Europe. On the contrary, the severe consequences of the *Zeitenwende* we are experiencing since 24/2 require two key things: first, the European Council should put in place a Wise Wo|men Group tasked with identifying core policy priorities and governance reforms that reflect current imperatives as well as the outcome of the Conference. Second, to modernize EU democracy the Union should enlarge its participatory toolbox by adding new deliberative instruments aiming to enhance the involvement of citizens in key moments of EU policymaking.

The war in Ukraine has shown that only by acting together can the EU hope to remain an effective player. But this is by no means a foregone conclusion. The EU institutions and member states must respond to today's transformative times by paving the way for an ambitious joint future. They need to match the understanding that we are living in a new era with a readiness to deepen EU integration in practice. They must show the political will and determination needed for a substantial reform of EU policies and governance structures reflecting the outcome of the Conference on the Future of Europe. Muddling through would not only be insufficient – it would be naïve and dangerous when issues of war and peace are at stake. Europe's future will be determined now, and we should avoid moving ourselves into a situation where we will again regret why we didn't do what we should have done at this critical juncture.

NOTES

- 1 The nine areas covered in the final report are: (1) climate change and the environment; (2) health; (3) a stronger economy, social justice and jobs; (4) EU in the world; (5) values and rights, rule of law, security; (6) digital transformation; (7) European democracy; (8) migration; and (9) education, culture, youth and sport.
- 2 See <u>Report on the Final Outcome of the Conference on the Future of Europe</u>, May 2022.
- 3 For a more detailed account see also the report by the High-Level Advisory Group of the Conference Observatory, Conference on the Future of Europe: What worked, what now, what next?, Brussels, 25 February 2022.
- 4 According to an eupinions poll four out of five EU citizens want to have a bigger say in EU politics. For more details see Hierlemann, Dominik, Roch, Stefan, Butcher, Paul, Emmanouilidis, Janis A., Stratulat, Corina, and de Groot, Maarten (2022), <u>Under Construction Citizen Participation in the European Union</u>, Verlag Bertelsmann Stiftung, Guetersloh.
- 5 See Zuleeg, Fabian, Emmanouilidis, Janis A., and Borges de Castro, Ricardo, "<u>Europe in the age of permacrisis</u>", EPC Commentary, 11 March 2021.
- 6 See European Parliament Resolution, <u>The call for a Convention for the revision of the Treaties</u>, P9_TA(2022)0244, 9 June 2022, Strasbourg.
- 7 See Communication by the European Commission, <u>Conference on the Future of Europe Putting Vision into Concrete Action</u>, COM(2022) 404 final, 17 June 2022, Brussels; here p. 4.
- 8 Ibid., p. 5.
- 9 See <u>Conclusions of the European Council on 23/24 June 2022</u>.
- 10 See Council document
- 11 For more details on the Wise Wo|men Group see also Van Rompuy, Herman, and Laffan, Brigid, "Adding Ambition to Europe's Unity", Project Syndicate, 15 June 2022.
- 12 For a detailed overview of the EU's existing participation toolbox see Hierlemann et al op.cit.
- 13 See Conference on the Future of Europe: Report on the Final Outcome, "36. Proposal: Citizens information, participation

- and youth", measure number 1; Brussels, May 2022.
- 14 Ibid, measure number 7: "Holding Citizens' assemblies periodically, on the basis of legally binding law."
- 15 For a more detailed account of the below proposals see also report by the High-Level Advisory Group of the Conference Observatory, *Conference on the Future of Europe:*What worked, what now, what next?, Brussels, 25 February 2022.
- 16 Although the introduction of this proposal would not require any legal/legislative changes, the Commission should still adapt its Better Regulation Guidelines to give a formal role to these deliberations. The Commission College's working methods should also acknowledge the role of consultative deliberations.
- 17 See <u>speech by President von der Leyen</u> at the closing event of the Conference on the Future of Europe, Strasbourg, 9 May 2022.
- 18 Even if the implementation of multilevel citizens' deliberations on major transformative topics would not require any legal/legislative changes, laying it down in a legal instrument would be beneficial. As a minimum, the Commission should adapt its Better Regulation Guidelines to give a formal role to these deliberations. The instrument could also be added to the interinstitutional agreement on law-making
- 19 The introduction of 'big tent fora' would not require changing the EU Treaties. Nevertheless, it should be developed via an interinstitutional agreement and the Commission as well as the Council may decide to include provisions in their respective rules of procedure.
- 20 Recommendation 35 of European Citizens' Panel 2 states that: "the EU [should reopen] the discussion about the constitution of Europe with a view to creating a constitution informed by the citizens of the EU." See <u>Conference on the</u> <u>Future of Europe, European Citizens' Panel 2: "European democracy / Values and rights, rule of law, security"</u>. Recommendations", (2021), p.15.
- 21 This proposal would not necessarily require changing the EU Treaties. The EP, Council and Commission could jointly support the idea by committing to it either in a political declaration or an interinstitutional agreement. However, in the case of a treaty change, Article 48 TEU should be amended to also reflect and codify the introduction of this new instrument of citizen participation in the EU's primary law.