Opinion of the European Economic and Social Committee on 'How to engage with the intended public and how to effectively use the results of the work of citizens' panels'

(own-initiative opinion)

(2023/C 349/11)

Rapporteur: **Christophe QUAREZ**

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	Own-initiative opinion
Section responsible	Employment, Social Affairs and Citizenship
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(for/against/abstentions)	163/4/8

1. **Conclusions and recommendations**

1.1. The EESC points out that participatory democracy can only be additional to representative democracy, which remains the cornerstone of our political systems. For the EESC, re-strengthening trust in politics requires continuously improving the way in which democracy works in the EU, particularly by developing participatory and deliberative mechanisms open to citizens, building on the existing set of EU instruments. Here, it would reiterate that the opinion of an association representing thousands of members holds far more weight than that of an individual citizen.

1.2. Experience in participatory democracy involving citizens' panels have emerged in all Member States, thanks, in particular, to the development of digital tools. Initially limited to local or regional issues, the use of citizens' panels to feed into public debates has gradually covered all policy areas, such as in Ireland (same-sex marriage and abortion) and in France (citizens' climate convention), and for example with the Conference on the Future of Europe.

1.3. As the home of organised and representative civil society, the EESC has specific expertise and constitutes a unique and permanent forum for civil dialogue, where solutions are put forward based on consensus between different stakeholders. As such, it should play a major role in developing participatory instruments.

1.4. The EESC, as the established institutional voice of organised and representative civil society, must be at the heart of moves to strengthen participatory democracy in the European institutions. It is therefore proposed to consider through experimentation the range of participatory instruments the EESC can make use of, such as citizens' panels, in its advisory work. In this case, the EESC's Rules of Procedure will need to be adapted to incorporate this procedure.

1.5. As part of this reflection, the EESC could study its new role in developing expertise on all issues related to citizens' participation and participatory democracy. In particular, the EESC Bureau could take decisions on issues such as the scope and methodology of the participation of citizens' groups in the work of the EESC, as well as the subjects on which citizens' panels are to be consulted. The EESC finds it useful to consider setting up a dedicated working group to establish any needed procedures, subject to availability of budgetary resources and following deliberation and decision by the EESC Bureau [1]. This working group could work, i.a. on issues, such as:

— the procedure for integrating these panels into the EESC work;

[1] As noted in the EESC study, 'Making the EESC the facilitator and guarantor of participatory democracy activities, including structured dialogue with civil society organisations and citizens' panels' (2023), any new form of EESC activity in relation to participatory democracy should be given the time, resources and attention it needs to be effective.

— the determination of criteria for the consultation topics of citizens' panels that ensure the inclusion of horizontal issues of a wider societal interest;

— the process for establishing a budget and the necessary human resources;

— the specifications for the random selection and the digital platform;

— the method to be used in the debates to ensure conclusive deliberations between the citizens' panels and EESC members, and how these debates are to be organised;

— for establishing the terms of reference that will determine how the results of the consultations are to be taken into consideration in EESC opinions;

— the conditions and timeframe for the pilot phase.

1.6. The EESC is particularly keen on the deliberative dimension of the citizens' panels, which would be involved in its work; as a complement to enrich the existing EU participatory toolbox.

2. **The need for democratic renewal**

2.1. European societies are almost all representative democracies. They are representative because governments are primarily elected by direct universal suffrage, most notably in parliamentary elections but also presidential elections.

2.2. The 21st century is being marked in Europe by a growing lack of trust in politicians and their actions, to varying degrees across countries. New and old democracies seem to be weakening, as evidenced by Brexit, by the difficulties that European democracies faced in agreeing on how to cope with the COVID-19 pandemic, by the anti-austerity and yellow vest protest movements breaking with traditional channels of democratic expression, and even by the rise in authoritarian populism. Furthermore, a revolution based on new technologies has encouraged the bypassing of intermediaries and the deregulation of political relations.

2.3. There are three objective indicators that can measure the extent of democratic decline from the point of view of the current crisis of democratic legitimacy in Europe: an increase in abstentions; greater electoral volatility; and a decrease in political party membership. In addition to these objective indicators there are also subjective indicators, such as the erosion of trust in public institutions.

2.4. For the EESC, re-strengthening trust in politics requires democratic processes to be improved. This means, first and foremost, that representative democracy, which is the basis of our political system, must find a new lease of life.

2.5. In addition, participatory or deliberative mechanisms can contribute to strengthening the link between the citizens and those who represent them, and render their respective responsibilities effective.

2.6. The EESC points out that in a representative democracy every citizen has the freedom to engage by joining the political party, trade union or association of their choice. This freedom is thus the first guarantor of a democratic system.

3. **Is there a need to institutionalise citizen participation?**

3.1. The number of participatory initiatives has increased exponentially in Europe, with thousands of experiments carried out, first at local or regional level through participatory budgets, and then at regional or national level for environmental, societal or institutional topics.

3.2. Laws and regulations in a number of countries have institutionalised not only local structures, but also more innovative schemes as well.

3.3. In Belgium, for example, permanent councils of randomly selected citizens have been set up by law in Brussels. The same can be seen in Ireland, where citizens' assemblies (sometimes linked to referendums) have paved the way for the legalisation of same-sex marriage and abortion, and in France, where citizens' conventions on climate and end-of-life have been created.

3.4. At EU level, the largest exercise of participatory and deliberative democracy to date has been the Conference on the Future of Europe, where four citizens' panels were organised to allow citizens to reflect together on the future they would like for the European Union. The EESC was formally involved in this initiative. It welcomes the fact that this pilot project is being thoroughly evaluated so that lessons can be learned about how to improve possible future initiatives.

3.5. In particular, the EESC regrets the low level of coverage and interest that this conference received in the Member States, as well as the confusion about its objectives.

3.6. In the final report [2] of the Conference on the Future of Europe, recommendation 36 on information and participation of citizens, and recommendation 39 on the EU decision-making process, are giving the EESC a clear mandate to structurally strengthen its institutional role as guarantor and facilitator of participatory democracy activities, such as structured dialogue with civil society organisations and citizens' panels. From an institutional point of view, the EESC is perfectly placed to play a role in enhancing participatory democracy, acting coherently and comprehensively.

3.7. The EU already has an elaborate set of EU participation instruments, which includes, e.g., the elections to the European Parliament, Citizens' Dialogues and the European Citizens' Initiative, Petitions to the European Parliament, and the European Ombudsman. Moreover, in the preparation of legislative initiatives, the Commission holds public consultations with the aim of giving stakeholders — including citizens — the chance to have their say on a given topic. The public consultations are anchored in the Commission's Better Regulation Guidelines and take place via the Commission's Have Your Say portal.

3.8. **The European citizens' initiative** (ECI), created in 2012, is one of the main innovations in participatory democracy at EU level. It allows a group of citizens to put an issue on the agenda of EU legislative bodies.

3.9. However, the four ECIs that have managed to gather the one million signatures required for the European Commission to respond have had a relatively small impact so far, with legislative proposals adopted as follow-up to the Right2Water and Ban Glyphosate initiatives and a proposal announced for 2023 to ban cages for all animals. In the EESC's view, the ECI has not fully lived up to expectations and probably therefore needs to be reformed; the EESC should be involved in this process.

3.10. Citizen participation has been boosted by digital platforms. The internet has allowed for the broad participation of civil society and the involvement of certain societal groups, particularly young people, that had remained far removed from such processes.

3.11. However, while the digital sphere has helped to facilitate and increase participation, it also has its limitations. Online consultations permit a range of opinions to be gathered, but fall short of providing real discussion.

3.12. Creating sustainable future citizen panels requires a strong online component — a key element for transnational discussions engaging the largest possible number of citizens. Based on the experience and lessons learned from CoFoE multilingual platform, the EESC proposes to create an improved multilingual online platform/mobile app. This would allow for far greater participation than is possible with face-to-face events, provided that the online tool is designed to be accessible to as many citizens as possible. Physical events remain an important complementary tool to online consultations, but should be limited to a reasonable number and highly targeted to current topics of horizontal interest. Adequate resources should be allocated to the creation of such a state-of-the-art digital platform [3].

3.13. The EESC believes that the issue regarding the representativeness of citizen contributions to the public debate must be raised, as well as the expertise needed to contribute. Does the opinion of an association representing thousands of members hold the same weight as that of one sole citizen?

3.14. The EESC reiterates that the added value of its opinions and recommendations stems from forging consensus among organised civil society, and building bridges between the diverging interests of the various societal organisations.

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[2] See the report on the final outcome of the Conference on the Future of Europe.

[3] As noted in the EESC study, 'Making the EESC the facilitator and guarantor of participatory democracy activities, including structured dialogue with civil society organisations and citizens' panels' (2023), the demand for digitalisation is obvious, however, resources should be allocated to still enable physical participation.

3.15. The terms of reference for citizen consultation must be clear. The EESC believes it essential to clarify, at an early stage, how the requested contributions will be integrated into the decision-making process.

3.16. The legitimacy of any process of genuine engagement with citizens requires a feedback mechanism. That is why it is so important that the European Commission set up a mechanism to track the recommendations made by citizens. The way to do this is to create a dashboard of the policy recommendations and then to use it to chart what will happen to the proposals, as called for by the European Economic and Social Committee at the Conference on the Future of Europe.

3.17. The EESC should be seen as an important instrument for reducing the EU's democratic deficit, bridging distances and fostering a European political identity among its citizens.

4. **The role of the European Economic and Social Committee in organising citizen consultations**

4.1. The provision in Article 11 TEU for an 'open, transparent and regular dialogue with representative associations and civil society' in all EU policy areas should be fully implemented.

4.2. Over the years, the EESC has strengthened the position of citizens' initiatives and increased their visibility in the daily work of the institutions. Since the launch of the ECI, the EESC has organised an annual high-level conference each ECI Day. The EESC's ECI ad hoc group was set up to provide political guidance on citizens' initiatives and monitor developments in this field.

4.3. The EESC also provides information on citizens' rights. Its most widely distributed publication — the European Democracy Passport — has become a popular source of information for the general public and is presented and used at various events organised by EU institutions and civil society organisations.

4.4. The EESC's institutional role should be enhanced, and it should be empowered as the established representative of organised civil society to provide advice on EU policymaking, but also as facilitator and guarantor of participatory democracy activities, such as structured dialogue with civil society organisations and citizens' panels. A lively civil society is crucial for the democratic life of the European Union.

4.5. As the home of organised civil society, the EESC has specific expertise and constitutes a unique and permanent forum for civil dialogue, where solutions are put forward based on consensus between different stakeholders. Its members have mandates from their respective organisations.

4.6. The experience of the Conference on the Future of Europe has raised expectations and calls on the European institutions to provide appropriate follow-up to this consultation.

4.7. The EESC is particularly keen on the deliberative dimension of the citizens' panels, which would be involved in its work; as a compliment to online consultations conducted by the European Commission, which are a valuable instrument but do not allow for direct debate among contributing stakeholders.

4.8. In the EESC President's manifesto, citizen panels will be set up ahead of the European Parliament elections in 2024, feeding into a cross-cutting resolution of all EESC sections with the main demands of the EESC for the new EP and the new Commission.

4.9. Furthermore, as a part of the EESC's Liaison Group Dialogue Cycle 2023, a working group 'Citizens' panels' is established as part of regular thematic dialogues between EESC members and the relevant Liaison Group's CSOs, as envisaged in the EESC's communication strategy 2022–2027. The outcome of this dialogue will be a reflection paper which could contribute to EESC initiatives aimed at citizen participation.

4.10. As part of this reflection, the EESC could study its new role in developing further its expertise on all matters relating to citizen participation and participatory democracy. In particular the EESC Bureau is the body that could take decisions on issues such as on the scope and methodology for involving citizens panels in the work of the EESC, as well as the topics on which citizens' panels will be consulted.

4.11. Specific funding, human resources and a digital tool would have to be allocated to this new responsibility of the EESC.

4.12. A set of rules applicable to the sample of people drawn should specify: a *modus operandi*, and arrangements for communication and media relations, and contact between the EESC or its relevant working group and the sample of citizens.

4.13. The EESC finds it useful to consider setting up a dedicated working group to establish any needed procedures, subject to availability of budgetary resources and following deliberation and decision by the EESC Bureau ([4]). This working group could work, i.a., on issues such as:

— the procedure for integrating these panels into the EESC work;

— the determination of criteria for the consultation topics of citizens' panels that ensure the inclusion of horizontal issues of a wider societal interest;

— the specifications for the random selection and the digital platform;

— the process for establishing funding and specific human and technical resources;

— the method to be used in the debates to ensure conclusive deliberations between the citizens' panels and EESC members, and how these debates are to be organised;

— for establishing the terms of reference that will determine how the results of the consultations are to be taken into consideration in EESC opinions;

— the choice of operator to organise the random selection of people, with their consent;

— the conditions and timeframe for the pilot phase.

Brussels, 13 July 2023.

The President
of the European Economic and Social Committee
Oliver RÖPKE

([4]) As noted in the EESC study, 'Making the EESC the facilitator and guarantor of participatory democracy activities, including structured dialogue with civil society organisations and citizens' panels' (2023), any new form of EESC activity in relation to participatory democracy should be given the time, resources and attention it needs to be effective.