

HOW THE “PARTICIPATORY DEMOCRACY TOOLBOX” CAN MAKE THE EU LESS REMOTE FROM CITIZENS

I. PARTICIPATORY DEMOCRACY TECHNIQUES IN THE EU CONTEXT

In 2005, the European Institutions launched a debate on the future of Europe and plan D for democracy, dialogue and debate. This was not a planned strategy but a reaction of the rejection of the constitutional Treaty by French and Dutch voters. Following the decisive “No” to the Lisbon Treaty in Ireland in June 2008, the case for continuing and intensifying the strategy is stronger. One positive outcome of Plan D was that as a result of the pioneering work done by foundations, techniques of participatory democracy have been discussed and tested at European level, which in turn can contribute to their spread at national level.

In recent years numerous techniques have developed on the local or national level: citizens’ panels, consensus conferences, citizens’ juries, focus groups, planning cells, citizens consultations. This reflects the acknowledgement that an active involvement of citizens in policy-making can be a good investment in better governance. It is considered that inclusive policy-making contributes to building public trust in government, quality of democracy and strength of civic capacity¹. By comparison with the traditional methods of measuring citizens’ views in polls and surveys, citizen participation brings more depth and a qualitative aspect to understanding their concerns.

The “toolbox” offers a large choice, and depending on the objective sought, an appropriate tool exists: large-scale events providing input from thousands of citizens to smaller groups or juries examining a more specific set of issues over time in greater depth². The techniques have in common that the citizens participating are randomly selected as representative of the population, on the basis of similar criteria as used to establish a sample for opinion polls. The advantages claimed for participatory democracy methods make them desirable for the EU suffering from “remoteness” from citizens. There is world-wide interest in citizens deliberations across Latin America, the United States, which did much to pioneer the approach, Europe, but in a very uneven way, and even China.

¹ Citizens as partners. OECD handbook on information, consultation and public participation in policy-making

² Participatory and deliberative methods toolkit. How to connect to citizens. A practioner’s manual edited for the EFC annual general assembly – May 2006 in Brussels

European citizens' deliberations do work

The first experimental phase of using participatory democracy techniques at European level has shown that they can work. In summing up the results, the European Commission has concluded that “Those projects showed that the development of participatory democracy in EU-related issues at local, regional, national and cross-border level is possible, both in terms of quality and logistics.”³ The most extensive of the 6 projects were the European citizens' consultations coordinated by the King Baudouin Foundation, with a European agenda setting event followed by randomly selected citizens' meeting in all 27 member states developing the recommendations and bringing them together in a European synthesis. This decentralised approach can be compared to the more centralised pan-European deliberative polling organised by “Notre Europe” with a random sample of over 400 citizens gathering together for 3 days and debating face to face. Other projects have also been developed with the participation of foundations and the support of the European Commission⁴.

The events themselves have been characterised by discussion of good quality. A citizen receiving a letter of invitation to a weekend of discussion on Europe may feel motivated, but also surprised and somewhat overwhelmed. What has been clear however from citizens own statements and evaluation reports is that they rise to the challenge. A possible explanation is that media coverage and other sources of information in the EU have a drip feed effect, so that people discover that they know more than they thought they did. Questions from citizens about what is appropriate or less appropriate for EU action are often penetrating and very much to the point. In all participatory democracy exercises there is a trade-off between process and results. Not surprisingly with these first experiments, process and involvement took precedence, so that actual recommendations are a common denominator of what could be achieved in the time available.

The logistical problems of creating delivery mechanisms and extensive partnerships were overcome, and this was no small result, since they did not exist before the projects began. The participatory democracy toolbox is far from present or seen in the same way across Europe. Technical problems such as overcoming the language barriers or linking debates occurring at the same time in different countries were well managed. Issues on which lessons can be learned from the future include:

- Selection of participants – even with random sampling it is difficult to reach minorities or socially excluded people; there will always be questions about whether recruitment was done exactly in the same way in all countries.

³ Communication from the Commission “Debate Europe – building on the experience of Plan D” (COM (2008)158/4

⁴ Meeting of minds organised by the King Baudouin Foundation, Citizens panel on the future of rural policy organised by the Foundation for future

- Time management appeared to be a factor – but this is linked to cost. Did citizens have enough time to discuss together and also to make more use of the background information and experts on the spot?
- What are the implications for the selection and training of moderators in ensuring the equal participation of all citizens and helping the group come to grips with the complexities of the European Union?

In the follow-up to Plan D, the European Commission also recommends that further work should be done on these issues. One of the criticisms often made is that only a small number of citizens are given a chance to participate. However, this ignores the wider impact citizens' deliberations can make through involvement of political leaders in the debate, extensive media coverage and reporting on the results through civil society and other networks.

Citizen participation and other forms of communication to make the EU less remote

The danger, as with any form of innovation whether scientific or more societal, is that the advantages can be overstated by its protagonists at one extreme, so that they become too easily dismissed by detractors at the other. Participatory democracy methods are a powerful and motivating force for participants and those that facilitate their application, whilst experts and politicians are often surprised by how much they can learn from such processes. In advanced economies and more mobile societies subject to rapid change, there is often over-reliance on experts in the formulation of policies. This is certainly true of the complexities of European policy making. The idea that often the most creative insights come not from experts, but from citizens on the basis of their everyday experience, can be disturbing for some and lead to active resistance. The best way to overcome such resistance is to reassure the detractors that participatory democracy methods are not designed to replace more traditional ones, but are complementary and claim to have added, not exclusive value. Participatory democracy must be considered as “second order” to representative democracy.

This complementarity needs stressing particularly at European level, where the remoteness and gap between citizens and EU Institutions is such that a variety of different channels of communication should be used. Situating the participatory democracy toolbox in Europe policy making means relating to other ways to develop more accountable EU decision-making:

- Representative democracy should be supported by citizen participation and in the new Lisbon Treaty is placed on a higher level. Indeed, the Treaty strengthens the legislative power of the European Parliament shared with governments represented in the Council of ministers. The role of national parliaments is also increased. A key objective for citizens deliberations now are the elections to the European Parliament in June 2009. Paradoxically, however, the way the Treaty was negotiated and rescued from the defeat of the constitutional Treaty raises

concerns about the future of representative democracy at the European level. Whilst plan D launched a debate on the future of Europe, the German Presidency carried out secretive negotiations to salvage the Treaty which was stripped of its “constitutional” aspects to avoid further referenda. Not surprisingly, the only country constitutionally bound to hold a referendum, Ireland, rejected the Treaty, putting the whole venture at risk. Against this background, there is a need for more open ways of negotiating new Treaties and workable proposals to introduce for example referenda held on the same day in all countries across the EU. Where people feel that they have been denied a chance to vote, declining trust in both representative and participatory democracy is a likely outcome. The way a number of governments have portrayed the Irish “No” as a specifically Irish problem and signalled their determination to press ahead regardless with the new Treaty is not encouraging for democratic participation.

- Information and communication needs to be stepped up. The EU spends 26 cents per person per year on communication, but 1 Euro might be a more reasonable target⁵. Eurobarometer polls consistently show varying degrees of awareness of EU policies combined with much lower percentages when people are asked more detailed questions. For example, 90% of people in the EU are aware that they are European citizens but only 18% can correctly identify what all their rights are. There is a link between information and participation in voting, particularly in European elections, which is declining even though the powers of the European Parliament have increased because people do not consider themselves sufficiently well informed to vote. Participatory democracy events have shown that citizens are able to engage with EU issues, but the better informed they become in the first place, the easier it will be for them to do so. It remains to be seen what will be the impact, if any, of the white paper and action plan on a European communication policy on levels of public understanding of how the EU works and its achievements. What is certain is that many people voted “no” to the Lisbon Treaty in Ireland because they found the text unreadable and did not receive enough information about the choice to be made.

- Other ways the EU can engage with citizens. The tendency with Plan D is to promote pilot projects, because this is only the start with using innovative techniques. Over time, the complementarity between the participatory toolbox and other methods of bridging the gap between EU Institutions and citizens should be organised:
 - The existing channels are used by citizens when they have a problem or a specific request. Despite “debate Europe” and internet chats there are far less well developed channels for citizens simply to express their views on European policies. Nevertheless, before setting out to find out what citizens think about a particular issue, the EU Institutions should find out what they have already received as feedback from information and complaints.

⁵ ECAS ‘Does the EU have the will to overcome the information deficit’?

- The findings of citizens' juries or consultations should provide a more qualitative explanation of citizens' views and are therefore a useful complement to quantitative opinion polls such as Eurobarometer. Whilst the EU should make more use of participatory democracy techniques, including the development of techniques to reach large numbers, not enough people out of 480 million can be reached by this approach alone. Participatory democracy techniques representative of the population should be used in parallel with public debates on Europe in which people choose to participate.
- The idea of using Europe day on 9 May as a European deliberation day to bring together the maximum number of initiatives involving citizens should be considered. The Commission communication, building on the experience of plan D, lists other possibilities of linkage: Pilot information networks involving European, national and regional parliamentarians, European public spaces being set up in capitals, local events and internet debates. There is also scope for synergy between participatory democracy techniques and the new interest in civic education and more specifically projects for European citizenship in schools.

Citizen participation and civil society

The distinction between citizens and civil society participation has become less evident with the spread of techniques of direct and active involvement of individuals. Such a distinction should be even less relevant at the level of multi-level European governance if citizens' voices are to be heard. Only by coming together in association which in turn link across borders, can citizens have a chance to influence the EU Institutions. At a conference held in Brussels on 3 October, "Is the EU really listening to citizens?" a central theme was the need to strengthen the role of civil society as a link between the EU Institutions and citizens to organise their voice and to create a European public sphere⁶. There are no specific guidelines about how citizens and civil society participation can reinforce each other, but from current practice, a first approach is apparent:

- Foundations have been the first to initiate citizen participatory practices at European level, rather than the EU Institutions. In plan D the Commission sees "civil society" in the role of convener and organiser. It is important that the citizens are confident that the organisers do not try to impose their own agenda, provide objective and balanced expertise, and whilst having good links to the EU Institutions, are independent from them.
- Where possible, debates among citizens should be parallel to debates among civil society organisations, each needing their own space and sometimes coming together. In this way, the involvement of individual citizens strengthens the role

⁶ Report of this conference organised by ECAS is on the website

of civil society rather than detracting from it. Indeed, some citizens become motivated by participating in deliberations, to continue to follow up the experience by becoming active in NGOs.

- As stressed at the conference of 3 October, a more collective mechanism, aggregating and structuring individual questions is more likely to have a genuine influence. It is also important too for the follow-up, after the citizens have presented their recommendations and returned home. However well designed are the procedures, the extent to which the EU Institutions and national authorities really engage with citizens or give lip service to their recommendations depends on political will. Civil society organisations have a watchdog role in making sure that officials and politicians are reminded of the recommendations and show that political will.

II. THE A,B,C OF EUROPEAN CITIZEN PARTICIPATION

A. ADVANTAGES OF CITIZENS' PARTICIPATORY TECHNIQUES ON THE EUROPEAN SCALE – WHAT CAN THEY BRING TO THE EU?

The process should be a win-win situation. Citizens are given an opportunity both to gain more insight into the workings of the EU and to be heard. The European Institutions and national authorities are able to tap new sources of policy-relevant evidence and proposals. After years' of rhetoric about the need to bridge the gulf between the Institutions and the citizen, it is high time to take action. The difficulties at the European level with the exercise of representative democracy – the saga of the constitutional Treaty and declining voter participation in the European elections – were the foreseeable outcome of the signs of growing remoteness of the EU from citizens. Analysis of the outcome of voting on referenda on the constitutional Treaty was shown that a high percentage of abstentions and no votes come from low-income groups, young people and rural communities. Opinions on Europe are fractured partly on political lines, but more serious rifts according to age, wealth and geographical origin are occurring⁷. This is also reflected in growing differences of opinion among civil society organisations about the added value of the EU.

Participatory democracy techniques can overcome a two-speed Europe of citizens who tend either to regard themselves as having true democratic ownership over the project or as being outsiders who are remote from it and not represented. To meet this challenge, direct involvement of citizens through participatory democracy techniques would have to be representative of all sectors of the population and carried out on a sufficient scale, in conjunction with other tools of information and consultation.

A win-win situation can be achieved, on the following lines:

- Citizens are the first to gain because they are given an opportunity to engage in the democratic process in ideal conditions. Few turn down the invitation to participate in a debate about Europe, and would never have expected that from this particular source. The opportunity for debate with a cross-section of citizens from one's own country from different walks of life, but also citizens in other countries, generally shows that there are possibilities for defining common European positions and agendas. For some citizens, these are quite literally life-changing experiences which lift them out of their traditional preoccupations and lead them subsequently to become involved in NGOs or political work. More importantly, family and friends, and therefore, indirectly, reach a far wider circle.

⁷ ECAS analysed this phenomenon in 25 questions and answers on “what ways out of the constitutional impasse?” We intend to add to this analysis based on the referenda in France and the Netherlands, the lessons of the Irish referendum.

- Officials and politicians gain new insights from the process. As a minimum, the qualitative more active approach of citizen debate will teach them more than opinion polls which are passive photographs of opinions and choices at a given time and which often leave many questions unanswered. To an increasing extent EU policy-makers face issues which are divisive and unpredictable in terms of public opinion. Very often citizens are in a strong position especially if they are able to make the link between the policy under discussion and their own situation, that of their family or immediate neighbourhood. Participatory democracy techniques have shown that citizens are often able to open the eyes of experts and politicians to new ways of looking at familiar problems, and changing the perspective, so that a solution is found. Participatory budgeting at a local level, where citizens need to decide priorities for local expenditure is a good way of giving expression to their local knowledge.

- Citizens can have workable proposals and recommendations to make. Participatory democracy can be more than just a means of stimulating debate and contributing to better governance. Citizens can be committed on the likely impact of measures being proposed by the European Commission. Controversies, for example the opposition to the original form of the services directive – are not always foreseen in stakeholder consultations which can by their more technical and sectoral nature often overlook more basic problems. In many areas such as scientific research, raising questions assessing the likely extent of public support and positions in advance is essential.

In general, there are often very different reasons for using citizens' deliberations, depending on the particular case, or the motivation of citizens and politicians. Often, the prime motivation is "better democracy", which means that the exercise is seen as valuable in its own right, so that the process takes precedence over outcomes. In this case, maximum involvement, media outreach and creating a public sphere are emphasised. In other cases, the issue is to involve citizens not so much for their own benefit or strengthening democracy, but for "better decision-making". Citizens' deliberations are likely to be considered here in the context of better regulation, transparency and consultation methods with the emphasis less on process than producing good workable proposals. Under a third model, citizens' deliberations are more about rebalancing in a democracy and giving a voice to those who are or feel excluded from public life or the life of the community. These different approaches are not necessarily mutually exclusive, but some trade offs between process and results are inevitable. In what instances are citizens' deliberations desirable? There is no specific rule, but there should be perceived mutual advantage for both citizens and government for the process to work. Controversial issues are good candidates because they are those which engage citizens' attention and create a challenge for governments. In other cases, proposed legislation or policies require changes in behaviour not just by

companies, but also individuals and government or parliaments need to assess the real extent of acceptance or resistance to change in the population. In the third group come issues where vested interests and capture by experts have created considerable resistance to change and where reformers can benefit from opening up the debate to citizens.

B. BUILDING CITIZENS DELIBERATIONS IN THE FRAMEWORK OF EU DECISION-MAKING

One possible danger of the rhetoric of participatory democracy is the tendency to over emphasise the gap between EU citizens and European Institutions, and to overlook the fact that in some respects there is already interaction. From the early days of the Treaty of Rome, the European Court of Justice created a new European legal order which can be invoked by citizens as well as member states. European law can claim some of its authority by being of the “peoples” and not merely deriving from governments sharing power within the EU Institutions. It is this possible for individuals to sue their own governments where their community rights are infringed. On such a basis, it would be unthinkable that there should be an absence of any relationship or interaction between the EU and citizens:

- There are a number of two-way channels of communication through Europe direct, leading citizens to more specialised services for advice and problem solving.
- European citizenship was added to the Maastricht Treaty in 1991 and the introduction of new rights was balanced by the creation of the post of European ombudsman and the formalisation of petition to the European Parliament to make enforcement more effective.
- Citizens can lodge formal complaints with the Commission or go to a national court. If the Lisbon Treaty comes into force, the charter of fundamental rights will become legally binding and the EU will become a party to the Council of Europe Convention on human rights. These developments will strengthen the position of the citizen vis-à-vis the EU.

The links between the EU and citizens already exist therefore, but there are a number of deficiencies. The information and advice services are not sufficiently well known, with only 18% of citizens aware that they have European rights. EU services dealing with citizens lack the resources to provide feedback on the evidence they receive from citizens, so that a virtuous circle of involving people and reporting back to them is missing. Furthermore, although citizens under use their rights under EU law, these apply only to a narrow range of activity related to free movement, equal treatment, or where EU legislation confers specific rights on citizens. Apart from the experiments with participation, interaction between the EU and citizens does exist, but tends to become concentrated on activities

when there is a direct link to EU law. Building on this, could citizens become more involved with the EU, not just when their rights are affected, but when they have something to say about European policies?

The answer is “Yes” despite the complexity of EU decision-making. The process does appear to be more appropriate and open to citizen participation than much national and regional decision-making. The main reason is that power is shared among the Institutions, so that there are balances and trade-offs without the possibility of one institution being able to decide at the expense of the others, even though most observers would see power shifting gradually towards the Council of Ministers and the European Parliament. What is called the “community method” is based on the dynamic of decision-making between the Commission representing the European interest and the Council representing those of member states. A decision-making process which is designed for widespread geographical involvement has also shown itself to be open to interest groups and the addition of new bodies, such as those representing regions, so why not citizens? In the Lisbon Treaty, there is a provision under article 11 on participatory democracy for over 1 million people from a significant number of member states, to be able to present demands for a legislative initiative by the Commission. If citizens’ initiatives can be added to the EU’s decision-making process, why not citizens’ deliberations?

A number of objectives can be raised about such a depiction of the EU decision-making process as being relatively open:

- There is the technical nature of much decision-making relying very heavily on experts and the “comitology” process of delegation.
- Key points in the decision-making process, for example where the Council and European Parliament agree on legislation in the conciliation committee are opaque. The same applies to reaching compromises in the Council.
- The heavy decision-making process among 27 member states and the numerous stages it has to run does put pressure on smaller groups of countries and coalitions of insiders to come together and strike deals.

These pressures to circumvent more open and democratic decision-making should however be checked and held to account. Citizens deliberating as well as the role of the European Parliament can help in this respect.

By comparison with national and governmental and parliamentary decision-making, the EU offers fewer barriers to participation, except the perception of its complexity and remoteness. It is very rare for the EU to have to decide so quickly that input from citizens would be made meaningless. It is also extremely rare that a proposal from the Commission goes through the decision-making process

unchanged. It could be argued that it could be possible for a decision by a national cabinet to be rubber stamped by the Parliament where the government has a clear majority. The scope for changing proposals may also be reduced in a coalition government because initiatives have to be agreed in some detail in a consensus of political parties. There is no real reason to conclude that citizens' deliberations would work better in the context of the European institutions than in that of the national government and parliament or the other way round. This would vary case by case, but the point is that the European decision-making process is so designed as to lend itself to citizen participation.

Despite the complexity of the EU, the Treaty reforms have made some progress in streamlining the decision-making process, notably by abolishing the system of the 3 pillars. The Lisbon Treaty also makes a step forward in describing "who does what" and in organising the division of competence between the member states and the EU Institutions. Citizens deliberations need to be tailored to the decision-making process and take into account the "categories and areas of union competence":

- Exclusive competence means that only the Union may legislate and adopt legally binding acts in such areas as customs and trade, competition rules, monetary policy in the euro zone and the conservation of the marine environment.
- Shared competence means that member states may legislate to the extent that the Union has not in 11 areas including the internal market, some aspects of social policy and public health, cohesion policy, agriculture, environment, consumers, transport, energy and the area of freedom, security and justice
- Competence to support and coordinate the activities of member states but without EU legislation applies to culture, tourism, education, training youth and sport, for example.

Proposals for citizens' deliberations often need to be submitted to a reality check. There is a tendency for EU policy makers to relate them to "soft" policies where the EU is developing programmes for citizens, but where its competence is limited. The organisers of deliberations and citizens themselves also need to be aware at the outset of the scope and limits of EU competence. There is a risk of creating frustration by making recommendations which the EU cannot implement.

Another way for citizens to approach EU activity would be to examine to what extent cross-cutting principles and rights such as those contained in the Charter of fundamental rights are applied to different policy areas and also to what extent policies such as environment are taken into account across the board. Here again, the Treaty provides for an organising framework.

C. CONSULTING AND INVOLVING CITIZENS

The citizens' participatory toolbox offers a wide range of instruments corresponding to the different decision-making processes. Should citizens' panels be organised across different regions or at national level or directly at European level – the extent of centralisation and decentralisation is bound to depend to an extent on the subjects chosen. For example, the design of projects will be very different if they relate to the European legislative process or the open method of coordination among member states under the Lisbon agenda. The first approach might not be more centralised, the second more decentralised.

The size of projects can be very variable also depending on expected results. If the main aim is democratic participation, then one of the criteria should be to involve as many citizens and countries as possible. If the main aim is to produce more detailed recommendations, organising citizens in smaller groups or juries may be better.

It should be possible also, for example, to target specific groups in the population on whom EU measures have a direct impact as users: people exercising their European free movement rights and participants in EU youth, educational and training programmes or consumers of EU communication and labelling schemes.

There are different sources available from which to choose possible topics such as the programmes of the Commission and Council Presidencies.

The four topics the Commission lists in its annual policy strategy for 2009 as priorities for its communication policy would all lend themselves to citizens' deliberations: implementation of the Lisbon Treaty and the charter of fundamental rights; a review of the EU budget covering all aspects of EU spending and revenue; growth and jobs in the year of creativity and innovation; energy and climate change. Genuine two-way communication not just towards citizens, but from them should be the objective.

The Commission communication "reforming the budget, changing Europe" is the basis for a widespread consultation currently being carried out and to which member states, regions and industry federations and NGOs are contributing. It is the type of consultation on which it would be useful to have the views of citizens also. Participatory budgeting, particularly at local level, is an important tool for citizens to be able to exercise precise choices. The challenges for the future outlined in the budget document are far from technical and call out for citizen involvement as much as the involvement of stakeholders. These range from the challenges of globalisation, to issues of the ageing population, solidarity, climate change and energy, migratory pressures and the security and safety of citizens.

The programmes, communication strategies as well as the budget review all highlight similar priorities. These priorities have in common that they are often

controversial and difficult to implement. Knowing more about citizens' views is essential to ensure delivery.

The European Institutions have started to experiment with participatory democracy techniques, but have not yet considered, except on a case by case basis, the key question of how the output they generate should be fed into the decision-making process. As the OECD handbook quoted above puts it in one of the ten tips for government:

“When governments involve citizens in policy-making they create expectations. Governments need to demonstrate to citizens that their inputs are valuable and that they are taken into account when making policy. If they fail to do so, citizens may prove unwilling to spend their precious time responding to future government invitations.”

And, it also makes the point that just one experiment is not going to be enough and spill over into sudden belief that the public authority is to be trusted and participatory democracy is working:

“To put it bluntly, citizens are not suddenly going to show greater trust in government, just because it has started to engage them in a single policy initiative. Activities geared towards strengthening government – citizen relations need time to be implemented and time to show results.”

Politicians such as Jean Luc Dehaene, MEP, who have participated in the European citizens consultations, are supportive because such projects reach out beyond the “usual suspects” and civil society organisations represented in Brussels. For this very reason they warn against an institutional approach, which could kill off an interesting experiment. On the other hand, citizens are entitled to assurances that their recommendations will be followed up. They may not expect all their suggestions to be accepted, but will at least want to know why not. They will over time demand channels of communication and feedback mechanisms from the EU Institutions, and will not be content with purely ad hoc arrangements. More experiments with the participatory toolbox are undoubtedly necessary before more general standards can be put in place. However, civil society organisations and EU policy-makers should begin to consider whether new procedures are needed or whether existing ones can be adapted.

What has been the follow-up so far to Plan D?

In this first experimental plan, the evaluation of the follow-up to the Plan D projects is inevitably mixed, with striking positive, but also less positive features:

- The impact, particularly of the citizens' conferences across 27 member states and deliberative polling at European level, was considerable. The events attracted

high level participation by Commissioners, MEPs but also government ministers and national parliaments. Press coverage was extensive, so that whilst only 40,000 citizens participated in plan D projects, many more were informed. The citizens' choices of priorities for the EU were reflected in many speeches and linked to the "citizens' agenda" and the Commission strategy of responding to public demand for "more Europe" to tackle transnational issues such as climate change. Political support for the citizens' messages came from European Institutional representatives noting that they were asking for more European action in areas in which member states were reluctant: social rights, solidarity and the family as well as education, for example.

- The impact at a high political level was certainly reduced by the decision of the German Presidency to surround negotiations on the future of the Constitutional Treaty with secrecy. Plan D suffered from the fact that on the one hand the European Council after the French and Dutch "no" called for a debate on the future of Europe, whilst governments set out to renegotiate a new version of the Treaty behind closed doors. The expected meeting of citizens with Angela Merkel, President of the Council did not take place, nor was there any sense of citizens contributing in any real sense.
- The formal follow-up, in the absence of time and real political will to listen to citizens was somewhat artificial. In December 2007, the Commission organised a concluding conference for the six plan D projects where participating citizens were given a chance to fuse their respective agendas in a common wish-list. This in turn was transmitted as a formal letter to the European Council meeting in the same month and to European political parties to take them into account in preparing the 2009 European Parliament elections. As a result of this purely formal declaratory closure, one can conclude that the process and the attention Plan D received was much more important than the outcome.

Plan D was characterised by high visibility, engagement of individual politicians, but a lack of real institutional engagement with citizens.

How should citizens' deliberations be followed up in future?

From this first phase, the conference of 3 October 2007 on the theme "Is the EU really listening to citizens?" provided some ideas about the way follow-up can be considered, whilst also showing that officials working in the Institutions, even those close to the process, had not yet really considered the question. From the report of the event, a number of ways forward should be explored:

- Follow-up has to take account of the fact that citizens have a number of potential interlocutors at European level, and that it may not be evident in advance where they are likely to receive support. The European Commission has the sole right of initiative, but Council Presidencies and national governments or parliaments can

be equally important depending on the issue in setting the agenda. Should not citizens in approaching the European Institutions find an ally in the European Parliament? Furthermore, both the Economic and Social committee and the Committee on the Regions regard themselves as links to the citizen. Whatever channels or mix of channels are use, citizens need to find allies in civil society organised at the European level, for follow-up.

- The European Commission standards of consultation with civil society and stakeholders could be adapted to consultations with citizens⁸ These have created a more coherent approach to consultations though “Your voice in Europe”. There are established rules which could be applied to citizens as to civil society consultations:
 - All communications relating to consultation should be clear and concise, and should include all necessary information to facilitate responses
 - When defining the target group(s) in a consultation process, the Commission should ensure that relevant parties have an opportunity to express their opinions
 - The Commission should ensure adequate awareness-raising publicity and adapt its communication channels to meet the needs of all target audiences. Without excluding other communication tools, open public consultations should be published on the Internet and announced at the “single access point”.
 - The Commission should provide sufficient time for planning and responses to invitations and written contributions. The Commission should strive to allow at least 8 weeks for reception of responses to written public consultations and 20 working days notice for meetings.
 - Receipt of contributions should be acknowledged. Results of open public consultation should be displayed on websites linked to the single access point on the Internet.

One of the speakers at the conference on 3 October made the following proposal:

A meaningful process needs to be built around the citizens’ deliberations. This can be done on many occasions. One of them is by preparation of a green paper. Citizens’ deliberations can be organized as part of the actual consultation processes following certain Green Papers as part of impact assessment, when problems are assessed and alternative policy options defined. Citizens’ deliberations can be done as part of the consultation processes following White Papers, to discuss the implementation of strategies and action plans or to discuss the priorities of Presidencies. This is not a plea

⁸ Minimum standards of consultation, December 2002

to institutionalize citizens' consultations: we need their ad-hoc, tailor-made use but on a regular basis. For that purpose it would be very useful to insert a new toolbox of consultation in the Commission's consultation guidelines, especially since there is already a discussion about how to consult non-organised interests. The guidelines of impact assessments also seem compatible with citizens' consultations.

NEXT STEPS

This paper is far from conclusive, but should serve as a basis for further discussion, which ECAS intends to develop in two directions:

- Starting with citizens themselves and on the basis of examples of best practice in Europe and other parts of the world, the participants in regional and European panels should make recommendations on how citizens' deliberations can be organised, on what subjects and what follow-up mechanisms can be put in place.
- This should be followed up by policy research towards the interlocutors for such consultations in the Institutions themselves, based on questionnaires, face to face interviews and seminars.

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