



Contribution to the public consultation

EU Citizenship: Share your opinion on our common values, rights and democratic participation

Background

The European Civic Forum (ECF) is a transnational network that brings together over 100 associations and NGOs across Europe active in various fields such as education to citizenship, democracy and Human rights, culture, environment protection, development cooperation or support to NGO environment. Since its creation in 2005, the European Civic Forum strives to enable civic participation through citizens' associations and movements **for a Europe** grounded on **Equality, Solidarity and Democracy** that guarantees fair and effective access to rights for all.

We welcome the advances introduced by the Lisbon treaty concerning EU citizenship and fundamental rights, with particular regards to the reinforcement of democratic representation and participation (article 10 and 11 TEU) and to the provisions for monitoring implementation of these rights through mechanisms such as the EU Citizenship report (art. 25 TFUE). Nevertheless, a lot of progress can be made regarding effective implementation of the Treaty provisions and is still expected by civil society both in terms of better policies and better use of democratic mechanisms designed to shape those policies, including civil society participation in this process.

Since the introduction of the concept of citizenship of the European Union in the Treaty of Maastricht in 1992, a political dimension has been added to the primarily economic nature of the European Community. But despite its official recognition in the Treaties, EU citizenship is now in crisis. The multi-fold challenges facing Europe today seriously undermined citizens' belief in its ability to secure collective well-being and solidarity with those facing social exclusion and design policies which reflect its very founding values.

For us, EU citizenship should not be confined to an "individual mobility rights" approach but should have a strong concrete content with a value-based dimension so as to tackle the Europeans' sense of ownership and belonging to a common European future. This vision calls for all stakeholders, from European Institutions and Member States to Citizens and Civil Society Organisations to envision citizenship as a broad concept not limited to a legal status composed of mobility or voting rights, but encompassing social inclusion, active participation in civic, community and political life.

The latter dimension is instrumental to revive the European project in the current context of crisis and democratic disengagement of citizens, in particular among young people as shown by the recent EU Youth Report. Underestimating this popular disenchantment and neglecting the role of active participation

opens the door for populist forces who stir nationalist and xenophobic attitudes which, in the long run, risk undermining the possibility of a shared future based on democratic and progressive values.

Our contribution stems from the belief that citizens' needs and the common good should be at the centre of European politics and is addressing the section on "Values of EU citizenship, democratic and civic participation". For us, citizenship should become a cross-cutting dimension of European policies and a key priority in all areas of the Union's action, by means of:

- measuring the social and environmental impact of all EU policies and legislation,
- giving civil society the opportunity to voice concerns about those policies and the extent to which they reflect the EU founding values,
- taking these into account when discussing political strategies, framing policy proposals, implementing policies.

VALUES OF EU CITIZENSHIP, DEMOCRATIC AND CIVIC PARTICIPATION

Do you think that the EU should do more to give citizens, especially young people, a stronger voice in democratic decision-making through online consultation and dialogue mechanisms?

The holistic vision and approach to citizenship we are calling for, integrating the aforementioned dimensions, requires European Institutions and Member States to take concrete steps in terms of designing more inclusive policies and better mechanisms for citizens' voice and concerns to be heard in the institutional arenas. Yet improving the processes alone will not insure a positive change. Democracy is at stake when the content of policies doesn't illustrate the values of the common project as when the process of their discussion is too distant from the people.

Our recommendations are drawn from the following framework documents we drafted or have been actively part in the design of:

- Our Manifesto "**Equality, Solidarity and Democracy for Europe**", which can be found [here](#).
- The European Year of Citizens Alliance - **EYCA**¹ [recommendations](#) officially addressed to the EU Commissioner for Citizenship in December 2013, to which regrettably no answer or concrete follow-up has been given yet.
- The "**Roadmap for the implementation of Articles 11(1) and 11(2) of the Treaty on European Union. Towards better EU civil dialogue and involvement of citizens for better policymaking**" prepared by the EESC Liaison Group² and adopted by the NGO Forum organised in the frame of the Latvian Presidency of the EU, available [here](#).

¹ 62 European networks of associations and NGOs gathering more than 4000 individual organisations in 50 European countries created this Alliance to promote active citizenship as a core element of the European project in the context of the European Year of Citizens 2013. EYCA has benefited from an EU grant for this project and has been recognized as civil society partner for the implementation of the EYC2013. The ECF ensured the chairing and coordination of this Alliance and project.

² The EESC Liaison Group with civil society organisations has been created in 2004 to interact with these organisations and networks and designed to be both a liaison body and a structure for political dialogue. The ECF is member of the Liaison Group and has ensured its co-presidency, jointly with the EESC Presidents from 2005 to 2013.

- **Towards a structured framework for European civil dialogue**, discussion paper adopted by the EESC Liaison group in 2009 regarding the implementation of article 11 of the Lisbon treaty, available [here](#).

The Council of Europe's **Code of good practices for civil participation in the decision-making process** adopted in 2009 provides additional valuable input and recommendations regarding the crucial role of NGOs towards effective consultation and dialogue mechanisms between institutions and citizens, available [here](#).

THE RIGHT TO PARTICIPATE IN THE DEMOCRATIC LIFE OF THE EUROPEAN UNION

Reinforcing ownership of the European project through citizens' participation

While the European Commission holds the quasi-monopoly over the right of legislative initiative, since the entry into force of the Lisbon treaty, it has to share the right of political initiative with the European Council (art 15§1 TUE), the Council (art 241 TFEU), the European Parliament (art. 225 TFEU), and... the Citizens via the European Citizens' Initiative (art. 11§4 TEU).

Together with electoral participation, implemented at the European level since the 1979 European elections, the right for citizens to participate in the European democratic life is enshrined within several provisions of the European treaties. Besides the political and legal recognition of this right, there are many difficulties concerning its implementation.

This section will focus on the existing tools for citizens' participation at the European level, and the need for greater transparency and better implementation of EU treaties provisions in terms of transparency, access to documents, consultation etc.

Considering that *"Every citizen shall have the right to **participate in the democratic life** of the Union. Decisions shall be taken as openly and as closely as possible to the citizen"* (art. 10§3 TEU).

Considering that *"The institutions shall, by appropriate means, give citizens and representative associations the opportunity to **make known and publicly exchange their views** in all areas of Union action."* (art. 11§1 TEU)

Considering that *"The European Commission shall carry out broad **consultations** with parties concerned in order to ensure that the Union's actions are coherent and transparent."* (art. 11§3)

Considering that *"Not less than one million citizens who are nationals of a significant number of Member States may take the **initiative of inviting the European Commission**, within the framework of its powers, to **submit any appropriate proposal** on matters where citizens consider that a legal act of the Union is required for the purpose of implementing the Treaties."* (art. 11§4 TEU)

Considering that *"In order to promote **good governance** and ensure the **participation** of civil society, the Union institutions, bodies, offices and agencies shall conduct their work as openly as possible."* (art. 15§1 TFEU)

Considering that *"Any citizen of the Union, and any natural or legal person residing or having its registered office in a Member State, shall have a **right of access to documents** of the Union institutions, bodies, offices and agencies, whatever their medium, subject to the principles and the conditions to be defined in accordance with this paragraph."* (art. 15§3 TFEU)

Considering *Action 12 of the 2013 EU Citizenship* regarding the commitment “to explore ways of strengthening and developing the European public space” is yet to be fulfilled by European Institutions and member states.

The European institutions, and particularly the Commission, as guardian of the treaties, should be a driving force in creating a more enabling environment for participation, especially in terms of transparency, accessibility of the information and participation tools, education and capacity building to use these tools.

- EU Institutions should **avoid the use of overly technical language** in European consultations since it discourages and sometimes prevents citizens and their representative bodies from contributing to the debate. Along with citizen-friendly language, **user-friendly interfaces** should be implemented to facilitate participation.
- EU Institutions should publish the largest number of EU key **documents in all the official languages**.
- European Institutions should explore the potential of **digital tools** and **new media** to promote participation in decision-making. While fostering **e-participation** and the use of digital tools, EU Institutions should develop **policies which eradicate the digital divide** and should promote effective actions to favour the integration of marginalized groups. The success of e-participation through consultation is closely linked to this objective.
- European Institutions should promote **citizenship education**, in particular its European component, within formal, non-formal and informal education settings in order to ensure young people are fully equipped to be part of an inclusive society and take part in the democratic life. Fostering civic attitudes, critical thinking and developing higher level of civic competences is crucial in ensuring active citizens can fully take part in all forms of consultations and dialogue mechanisms.
- European Institutions should proceed to the **revision of the European Citizens’ Initiative regulation** in order to overcome burdensome procedures to make this tool more accessible and user-friendly for citizens and campaigners. While some encouraging steps have been taken by the European Parliament through a recent vote, some important steps remains to be taken. Any ECI reform must support the ECI’s true purpose. For politicians and civil society representatives, this is to provoke a political response that can result in concrete policy change. For all stakeholders, equally important is the facilitation of a pan-European dialogue between citizens and decision-makers. For more details, see [here](#) the **ECI campaign proposals “For an ECI that works”**.
- European Institutions should explore the feasibility of **crowdsourcing legislation**. Good examples already exist, and have been identified at the national level in the **“Roadmap for the implementation of Articles 11(1) and 11(2) of the Treaty on European Union. Towards better EU civil dialogue and involvement of citizens for better policymaking”** and could be transferred to the EU policy making process.

CO-DECIDING WITH CITIZENS BY FULLY INVOLVING THE ORGANISED CIVIL SOCIETY

Building an open, transparent and regular dialogue between European institutions and organised civil society

Participative democracy meets the present-day needs of European democratic governance across the Union by supplementing and reinforcing representative democracy. Despite the political and legal recognition of this notion introduced by Article 11 of the Lisbon Treaty, a clear and structured framework for European civil dialogue that would allow a permanent and transversal dialogue is still lacking, a gap still remains between the applicable legal rules and the reality of citizens and civil society organisations' involvement in decision-making in Europe. **The potential of Article 11 is still to be fully understood and implemented by the EU institutions so as to build a really open, regular and transparent dialogue with civil society and its representative associations (art. 11§3 TEU).**

Involving organised civil society in policy-shaping and the preparation of decisions strengthens the democratic legitimacy of public institutions, of their work and activities. The quality of civil dialogue - including social dialogue, which is its crucial element - is an indicator of the state of health of our democracies.

What is organised civil society?

In 1999 the European Commission asserted that "civil society includes the following: trade unions and employers' organisations ("social partners"); non-governmental organisations; professional associations; charities; grass-roots organisations; organisations that involve citizens in local and municipal life ..."

According to the opinion of the European Economic and Social Committee (EESC) to which the European Commission was referred (OJ C 329 of 17.11.1999, p. 30), organised civil society is "the sum of all organisational structures whose members have objectives and responsibilities that are of **general interest** and who also act as **mediators** between the public authorities and citizens." Implementation of Article 11 of the Treaty and the related documents could be based on a definition of "**organised civil society**" as an **intermediary** between **citizens** and **public bodies**. The organisations of which it is composed represent a **general interest** or an interest of a part of society which they actively defend. These organisations are independent of public bodies, bringing together persons or organisations representing people on a voluntary basis. They are **non-profit-making** and operate in areas **outside the sphere of enterprise**. They function in a **democratic** and **transparent** manner, with election of their constituent bodies on a regular basis and direct participation by their members in decision-making.

What is the European civil dialogue?

The increased efforts since the 1990s to establish consultation procedures and a more or less structured form of sectoral dialogue with civil society organisations bear witness to a growing realisation on the part of the EU institutions of the importance and utility of giving organised civil society the opportunity to participate in European processes. These consultation and dialogue procedures are referred to by the catch-all term of "civil dialogue" yet - unlike social dialogue - the concept has not been officially defined in any text due to a lack of consensus regarding the concept itself, its scope, procedures and players.

At the present time and in line with current practice, **European civil dialogue may be considered to take three complementary forms:**

- sectoral civil dialogue between civil society organisations and their interlocutors within the legislative and executive authorities, referred to as "**vertical** dialogue";
- structured and regular dialogue between EU institutions and all of these civil society components, referred to as "**transversal** dialogue";
- dialogue between civil society organisations themselves on the development of the European Union and its policies, referred to as "**horizontal** dialogue".

Like social dialogue, civil dialogue, which covers more potential fields and participants, must be able to benefit from a **formal framework and institutional recognition**. The responsibilities of the parties to European civil dialogue, the rights and obligations of the institutions and civil society organisations taking part in it, have to be established. They must enable the setting up of a **permanent and stable framework for dialogue**. Examples exist at transnational level, such as the Code of Good Practice for civil society participation in the decision-making process at the Council of Europe, and at national level (the Compact in the United Kingdom or the Charter of Reciprocal Commitments in France).

The European rules which will be developed for the implementation of Article 11 of the Treaty will have to take account of both the positive and limiting aspects of these various existing practices.

- EU Institutions should ensure that the voice of **civic associations** and **movements** is heard, on an **equal footing**, alongside the voice of the **social partners** and **corporate interests** at all levels of decision-making process.
- Mechanisms for **European civil dialogue** should be fully integrated by all European Institutions in their decision-making tools and practices, in particular in the current discussions about the **inter-institutional agreements on better regulation** and **transparency**.
- Along the same rationale, a **European Observatory for Civil Dialogue** including all interested parties should be established to monitor civil dialogue and civic engagement across the EU.
- An EU **Commissioner for Civil Dialogue**, with corresponding human resources, should be appointed to allow its effective implementation within the European Institutions.