CONFERENCE ON THE FUTURE OF EUROPE: EU OVERHAUL IN THE MAKING?

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In 2020, hundreds of EU citizens were meant to be invited to reflect on Europe’s future at a conference that will debate European policy priorities in an attempt to introduce direct democracy in EU decision-making over the course of the next two years.

The conference, a brain-child of the European Liberals (Renew) and French President Emmanuel Macron, was meant to discuss with all EU institutions, member states and EU citizens what a future EU should look like, 17 years after the last European Convention.

But while the European Parliament launched the debate on the Future of Europe conference earlier this year in January and outlined its position ahead of talks with the
Commission and Council, the latter has remained hesitant to kick off the process.

While many view this as an attempt to blur the conference with a vague mandate, in particular, to prevent institutional reforms, member states insist the conference is not a convention and results should instead only be summarized in a joint declaration, instead of direct legislative initiatives.

On top of that, the COVID-19 pandemic has overturned the schedule for the project before it even started.

This event report examines what obstacles lie on the way and what topics could be shaping the discussion.
After the COVID-19 pandemic pushed the Conference on the Future of Europe, a two-year soul-searching exercise aimed at reforming the EU after Brexit, onto the back-burner, the recovery from the health crisis could present a new opportunity, Socialist MEP Gabriele Bischoff told EURACTIV.

It started as a radical Franco-German set of proposals, including changing the way the president of the European Commission is elected and allowing transnational candidate lists in European elections.

Some of these proposals would need changes and amendments to the EU treaties, a torturous procedure requiring unanimity among member states.

Upon the announcement, Commission Vice-President Dubravka Suica did not rule out that the conference might initiate changes to the EU treaties.

“If people want treaty changes, we are open to that too,” Suica said.

“This is a conference, a two-year process, and not a convention, which means it is not about coming up with a list of treaty changes. It is rather a new approach to engage citizens and involve them in what kind of Europe they want to live in and how to increase Europe’s capacity to act,” Bischoff said, “but at the same time, it is also about testing the appetite for change – also for treaty changes.”

However, member states’ reactions to the conference have been distinctly lukewarm, particularly compared to

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the European Parliament.

“We had a very clear position as Parliament who should chair it, we defined criteria and outlined our goals,” Bischoff said.

The assembly picked Guy Verhofstadt, the former Belgian prime minister and current liberal MEP, to lead the process, but EU diplomats have expressed unease about Verhofstadt’s suitability to lead the conference given his federalist views and status as a polarising figure across the bloc.

“The problem is that in the Council, couldn’t agree on anything for 5 month and instead of coming up with alternative suggestions, they are just saying ‘no’ for another 5 month – this is irresponsible,” the German MEP said.

As EU member states paved the way for the opening of discussions with the Commission and the Parliament in June, it has become clear there will also be no obligation on the part of the EU institutions to actually address the issues raised in the debates.

EU ambassadors stopped short of committing to any possible treaty change, and the compromise circumvents the issue by simply stating that the conference itself should not be the same as the formal convention that is needed for an amendment to the treaties.

According to Bischoff, the conference could prevent mistakes made during the last European Convention in 2004, where the debates largely happened at interinstitutional or intergovernmental level, leaving many to regard the Constitutional Treaty as an elitist construct.

The Constitutional Treaty was ratified by 18 member states, which included referendums endorsing it in Spain and Luxembourg.

However, the rejection of the document by French and Dutch voters in May and June 2005 brought the ratification process to an end, although the bulk of the substantive changes were kept in the Lisbon Treaty agreed two years later.

“We need to create a European public space with this conference to avoid mistakes of the past,” Bischoff said.

When asked about what will happen if citizens decide they want less Europe, Bischoff said the conference would be an “opportunity to reconnect with the people that lost faith in Europe, that are sceptical and to really engage citizens everywhere in Europe.”

But for that it’s important that this is not the usual, top-down academic middle-class debate on the future of Europe.”

“After the last elections, where we had a much higher voter turnout than before and a very active civil society engaging in activating people to participate in the elections, we disappointed a lot of people with not sticking to promises regarding the Spitzenkandidat,” the German MEP said.

After a traumatic two months of fighting between the EU’s institutions and political groups over the distribution of top jobs, many policymakers proclaimed the Spitzenkandidaten system and the idea of transnational lists to be dead.

“You cannot announce that you have Spitzenkandidaten, you have them touring around Europe and debating and then after the election, you say, there is no need for this.”

“It’s very important before the next election, that we really have a properly defined and regulated procedure for the Spitzenkandidaten principle,” she said.

However, with the delay in the start of the citizens’ consultations, hopes for workable results are dwindling.

“In parallel, we already have to work on that, we cannot wait until 2023,” Bischoff said, adding that Parliament will start to work on a new electoral law “quite soon”, likely in spring next year.
EU lawmakers have called for reforms, including lowering the voting age, transnational lists, and gender balance rules, ahead of the next European elections in 2024.

Electoral reform, MEPs stated in a resolution adopted this week by 468 votes to 194, would be one of the “lessons to be learned” from the 2019 European elections and should be on the agenda of the planned Conference on the Future of Europe.

According to them, “zipped” lists or similar initiatives could help achieve more gender balance in the chamber.

Moreover, the resolution pointed to the fact that minorities and more than 800,000 citizens with disabilities were effectively excluded from the 2019 polls due to a lack of accessible voting centres or other bureaucratic barrier.

Homeless people and prisoners in countries that allow them the vote also faced “obstacles” in exercising their right to vote.

Lowering the minimum voting age to 16, changes to campaigning and funding rules, and the establishment of a European Electoral Authority were among the recommendations.

MEPs also say other initiatives, such as transnational lists, would Continued on Page 7
increase the “visibility” of European political parties and movements.

The so-called Spitzenkandidaten process, whereby the lead candidate of the group that wins the election would become the frontrunner for the European Commission presidency, was killed off last year over compromises struck between member states.

“Parliament’s strong suggestions in this resolution, like the call for the gender balance rules that we are still lacking, and for transnational lists to transform the European elections into a single European election, need to be taken into serious consideration by the member states,” said French rapporteur Pascal Durand (Renew Europe).

“We expect that they will be focal points for the Conference on the Future of Europe too. It is high time that we tackle existing challenges and prepare for future ones by abandoning outdated attitudes and embracing the European dimension of our politics,” Durand added.

A 2018 electoral law reform, which aimed to further Europeanise the bloc’s electoral processes, has so far failed to be ratified by all member states.

**CONFERENCE CONTENT IS KING**

According to a recent report, European elections have to become more meaningful, with a bottom-up approach to civil society and citizens’ involvement.

Among their recommendations, the authors cite EU-wide transnational lists, a reduction of the number of Commissioners, the right of legislative initiative for the European Parliament, and an end to unanimity in decision-making.

Also, citizens should have more influence on EU economic policy, according to Renate Tenbusch, director of the Friedrich-Ebert-Stiftung office in Brussels.

“Citizens need to have a say between elections and for that, we must overhaul the institutional architecture of the EU and give more power to citizens, but also to the European Parliament as the only directly elected EU institution,” she said.

**WHAT CITIZENS MIGHT WANT (OR NOT)**

Commission Vice-President Dubravka Šuica has not ruled out that the Conference on the Future of Europe might initiate changes to the EU treaties. However, there is little appetite in member states and among citizens for such a far-reaching step.

“I am not against treaty change, but I don’t think citizens are actually asking for treaty change,” Roger Casale, secretary-general of New Europeans and acting president of Europe’s People’s Forum, told EURACTIV, explaining that changes could be achieved without changing EU treaties.

“The conference needs to respond to what citizens care about and right now, what they care about most of all, is health, and the environment, and jobs, and in other words in creating a green, healthy, dynamic future for all of Europe,” he said.

However, according to Casale, the delay has done no favours to the EU’s image.

“It is supposed to be a bottom-up process, but we’ve spent over a year fighting at the top about who is going to chair it and steer it and I think that sends a very negative message to citizens,” he said.

Asked what would happen if citizens in the consultation process decided they want less Europe, Casale said “there’s always that danger from populists”, but the consultation should not hesitate to “reach out to all of the parts of Europe... have conversations with the groups of people and with organisations that perhaps are not the actual EU fan club”.

“We need to listen to what people have to say and to give people a voice and above all listen and act on what they have to say,” he concluded.
During the crisis-ridden last decade, the EU has stumbled into a new intergovernmentalism presented as an apparently pragmatic problem-solving approach. But side-lining the European Parliament is not just a problem for the EU’s legitimacy, but also results in negotiation deadlocks on important policies. To enhance the legitimacy and the efficiency of EU decision-making, it is necessary to put the debate on European democracy in the centre of the Conference on the Future of Europe.

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The German Council Presidency seems to prove, once again, that EU intergovernmentalism does not work. From the multi-annual financial framework and the rule of law mechanism to the Conference on the Future of Europe, the list of dossiers stuck in intergovernmental negotiations is long and ever growing. Only the hope remains that the German government will secure some last-minute compromises before Christmas eve.

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Almost to the day twenty years ago, on 11 December 2000 in Nice, another generation of European leaders learned the limits of intergovernmentalism. In a four-day European Council summit, they hammered out a last-minute deal for an EU treaty reform. The result was so miserable that one year later they not only decided to embark on a new reform, but invented a whole new procedure: the European Convention that was meant to put the EU on strong democratic feet.

However, the Convention’s democratic spring was short-lived. After the failure of the European Constitution, its main contents were rescued in the Lisbon Treaty, but only through an intergovernmental conference and avoiding further citizen involvement. Subsequently, rapidly accumulating crises put the European Council even more at the centre of EU politics. In the name of pragmatic and quick problem-solving, informal intergovernmental institutions like the Eurogroup frequently sidelined the European Parliament. But this new intergovernmentalism not only damaged the EU’s legitimacy, as the level of citizens’ satisfaction with the EU dropped and national-populist parties rose during the crises. It was also an invitation to power plays and blackmailing by national governments, ultimately leading to negotiation deadlocks on important policies. Meanwhile, calls for comprehensive democratic reforms were dismissed for a long time referring to the “Pandora’s box” argument: Should we really risk opening such a big issue in such a complicated time?

Of course, even during these years of ill-guided intergovernmental pragmatism, there have always been efforts to make the EU more democratic. The Spitzenkandidaten procedure in 2014, the Hübner-Leinen report on the reform of the European electoral law in 2015, the debate about transnational lists all pointed in the right direction. Still, all these efforts finally got stuck or were watered down beyond recognition by the Council. Today, the European Parliament’s Committee on Constitutional Affairs (AFCO) is working on a report on the Parliament’s right of initiative. The inter-institutional negotiations on a mandatory transparency register, covering the European Commission, Parliament and Council, have resumed after the 2019 elections. But irrespective of the quality of ideas, little to none of these efforts is noticed outside the Brussels bubble. And even though the level of citizen satisfaction has been recovering since the end of the Euro crisis, more than one in three EU citizens are still unsatisfied with EU democracy and almost two in five believe that their voices do not count in the EU. Meanwhile, ten years of avoiding fundamental institutional reform have done little to stop national populists in Hungary, Poland and elsewhere from undermining Europe’s democratic base.

It is thus time to take the debate to a new level. Both the deadlock of intergovernmentalism and the unacceptable levels of citizen dissatisfaction underline the urgency to strengthen EU-level democracy enabling the EU to address future challenges. As a contribution to this necessary debate, our recent study on “Enhancing the EU’s Democratic Legitimacy” analyses reform needs and presents both short and long-term proposals in order to reinforce parliamentary and participative democracy. It outlines specific recommendations for making European elections more meaningful and civil society involvement more bottom-up. Additionally, a special focus is placed on economic governance of the monetary union as a policy area that has particularly strong effects on citizens’ evaluation of European democracy.

During the last years, it has often been argued that citizens are not interested in institutional navel-gazing. Whether this is true or not, citizens do have a lot of interest in democracy. Since it has come under threat from right-wing populists all over Europe, citizens have become concerned with the future of democracy. It should therefore not come as a surprise that the 2019 European elections, when many feared that Eurosceptics could capture the European Parliament and that the European project itself was in danger, resulted in the first increase in turnout since 1979.

But as crucial as fighting back the enemies of democracy is, it is even more important to turn the debate. Defensive restoration will not suffice to win the hearts of citizens. They long for a positive vision of the future of European democracy: a vision that goes beyond the day-to-day policies without getting lost in the vagueness of an unattainable utopia. The planned Conference on the Future of Europe is the venue where such a vision could emerge. The debate on European democracy must become the centre of its deliberations.