



HOW PARTICIPATION AND DIGITALISATION CAN HELP IMPLEMENT EU DEMOCRACY

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The ongoing sanitary crisis has highlighted the urgency of improving EU democracy through the implementation of new tools to boost participation. Digitalisation can give a decisive contribution.

In this special report, EURACTIV will look at the empowerment of citizens through deliberative democracy processes, with a special focus on the Conference on the Future of Europe.

It will also explain to what extent digitalisation can contribute to the functioning of democracy rather than jeopardise it. The discussion will touch on themes such as data sovereignty, and how EU fundamental rights, such as freedom of expression and the fight of disinformation can be guaranteed for citizens.

This report is available in [German](#).

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CoFoE: depolarise the political debate is the best way to save democracy

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By Eleonora Vasques | EURACTIV.com



Conference on the Future of Europe - Panel 3 Climate change, environment health in Natolin, Warsaw [European Parliament]

The Conference on the Future of Europe (CoFoE), involving citizens in EU policy-making, is in the middle of its journey. It is already possible to assess the successes and limits of such deliberative democracy experiments and to question whether it can be a replicable exercise for the future.

The CoFoE sees citizens across Europe work to elaborate recommendations for EU lawmakers.

There are different levels of participation: the first one is articulated around citizens panels, where randomly selected 800 citizens are elaborating recommendations thanks to in-person and online

meetings.

The second is the multilingual online platform: everyone can submit proposals through the platform and organise events related to the Conference. The third level is the national one, each member state is organising its own events related to the Conference.

WHY IS DELIBERATIVE DEMOCRACY INNOVATIVE?

As reported by EURACTIV, deliberative democracy can be more innovative and accountable than elections.

Last July, at an event organised at the [Hambach Democracy Dialoge](#) of the [Friedrich-Ebert-Stiftung](#) on how to empower citizens through the CoFoE, professor Wolfgang Merkel explained why “the global development of democracy has been declining since 2008”.

According to him, “there is a declining of trust in representative institutions” and at the same time, national parliaments have had less power than executives since the 1990s. Despite this, people participate in elections against the backdrop of a political landscape that articulates the debate around different shapes of polarisations.

Merkel warned that the more the political landscape is polarised, the more people participate, but this polarisation is damaging democracy.

Debates around main topics of the current political landscape are articulated based on who is in favour or against. For instance, regarding vaccines, the media and politics are divided into pro and anti-vaxxers and the concerns of both camps can be heard.

Also, for the media environment, the more a debate is polarised (and violent), the more it is likely to be televised.

Other examples of the past can be related, for instance, to pro/anti-European sentiments.

The 2016 Brexit referendum was one of the most polarised debates Europe experienced in the 2010s, together with the 2015 Greek referendum on the Euro. Both events had significant media coverage, but neither contributed to making society more democratic and progressive.

According to the 14 December 2021 OECD report on “[eight ways to institutionalise deliberative democracy](#)”, the representative deliberative process is “a process in which a broadly representative body of people weighs evidence, deliberates to find common ground, and develops detailed recommendations on policy issues for public authorities”. Unlike at elections and polls, citizens are called to discuss, instead of merely voting.

“I discovered deliberative democracy is a more productive method to “depolarise” controversial issues,” the democracy expert Jonathan Moscovic told EURACTIV in an [interview](#).

“Deliberative democracy is a way of going back to the core principles of democracy, where free and equal citizens (and their representatives) make mutually acceptable and accessible decisions. Political parties fight and theatrically confront each other without finding a solution; citizens can do much better.”

CONFERENCE'S STATE OF PLAY

In the context of the Conference, citizens' panels are elaborating recommendations in a three-stage process. They met for the first time at the European Parliament in Strasbourg last autumn. Then they met for an online session in November while in the third

stage, panels are finalising their recommendations.

At the end of January, 40 representatives of panels 2 and 3 will discuss their recommendations with the Conference's plenary at the European Parliament in Strasbourg.

Because of COVID, panels 1 and 4 postponed their in-person meetings to approve their recommendations, but these two panels will also discuss their proposals with the Conference's plenary in Strasbourg.

The Plenary is composed of 108 representatives from the European Parliament, 54 from the Council, three from the European Commission, 108 from national Parliaments, and 108 citizens.

Input from both the platform and national panels will also be discussed by the Conference's plenary and proposals will be put forward to the executive board, which will draw up a report with the plenary.

The outcome of the Conference will then be presented in a report to the Joint Presidency. The three institutions will then examine how to respond, each within their own sphere of competences and in accordance with the Treaties.

CITIZENS' ENTHUSIASM

EURACTIV has interviewed several citizens' panels and has observed a general enthusiasm for participation.

Several citizens also said the Conference should be an exercise that is replicated. Likewise, experts and academics are [debating the possibility of making the Conference a permanent exercise](#).

“For the first time, it’s not the institution talking to us but they are the ones discussing with us,” Piero, 64, from Italy, one of the participants of the citizen panel dedicated to climate change, environment and health, [explained to EURACTIV Italy](#).

Another positive aspect of the Conference is that people who speak 24 different languages can debate and be connected; in all meetings, there is a simultaneous translation and the entire content of the online platform is translated into all 24 EU languages.

LEARNING FROM MISTAKES: A BETTER DESIGN FOR THE FOLLOW-UP

Though the Conference is still a work in progress, some aspects can be constructively criticised.

Since the start of the Conference, EU institutions have shown readiness to properly follow up on citizens’ recommendations.

Again, at the [Hambach](#)

[Democracy Dialoge](#) of the [Friedrich-Ebert-Stiftung](#) in July on how to empower citizens through the CoFoE, Ivo Belet, a member of cabinet for European Commission Vice President Dubravka Šuica, said the Commission “will commit to following up citizens’ recommendations”.

Nevertheless, institutions did not pay enough attention to the design of the Conference, particularly to the follow-up process. For instance, it is still not clear whether recommendations of citizens’ panels will be discussed by the Conference’s plenary, together with the input from the platform and national panels, or separately.

In the beginning, it was said that recommendations would be voted by the Conference’s plenary together with panels’ ambassadors, but EU institutions have now declared that there will be only a discussion without a vote on such occasions.

The secretariat has not provided details about how recommendations will be treated in each report, and how much will remain from the original

recommendations.

More importantly, there is no evidence of a follow-up meeting with citizens’ panels on which recommendations will be adopted, how they will be implemented, and why others will be rejected. Usually, in deliberative democracy exercises, this is the first thing that should be designed.

Finally, the [CoFoE’s website states that](#) “three institutions will examine how to follow up effectively to this report, each within their own sphere of competences and in accordance with the Treaties”.

This is a significant constraint on the work of the citizens’ panels as it is not clear whether citizens proposals will even be considered if they go beyond or regard member states’ competences.

CoFoE: EU citizens demand wider protection under rule of law

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By Eleonora Vasques | EURACTIV.com



Conference on the Future of Europe - Plenary I: values and rights, rule of law, security [European Parliament]

Citizens contributing to the Conference on the Future of Europe (CoFoE), the EU's democracy engagement project, have made recommendations to widen the rule of law across member states, following views that there is a systemic conflictual climate between Poland and the EU.

The second European Citizens' Panel, on democracy, values and rights, the rule of law and security, finalised their recommendations last December in Florence.

MEP Guy Verhofstadt said that the European Court of Justice should play a bigger role on the implementation

of the rule of law, for instance that the Court should have the power to impose sanctions on countries that don't comply.

INEFFICACY OF CURRENT MEASURES

Věra Jourová, the commissioner for values and transparency, said that the mechanisms in place are not used enough, during an event organised at the [Hambach Democracy Dialogue](#) of the [Friedrich-Ebert-Stiftung](#).

"The fathers and mothers of the Lisbon Treaty did not predict that such problems, which we see in Hungary and Poland, could occur in the EU.

There was the happy illusion that the rule of law and fundamental rights would have never been challenged," she said.

She went on to state that the CoFoE can provide guidelines on how to empower the EU in implementing the rule of law more effectively.

COFOE: CITIZENS' PROPOSALS

As part of the CoFoE, participating citizens asked to edit the conditionality regulation (adopted in December 2020) in order to make it applicable "to all breaches of the rule of law rather than only to breaches affecting the EU

budget”.

“The current phrasing of the conditionality regulation is self-protective of the EU’s budget and of the EU’s institutions rather than the citizens of the Member States concerned,” the recommendation said.

Citizens also called for the organisation of annual conferences on the rule of law, in accordance with the publication of the annual Rule of Law Report, the Commission’s mechanism for monitoring compliance with the rule of law by the Member States.

“Member States should be obligated to send socially diverse national delegations to the conference that include both citizens and civil servants,” the proposal said.

Media independence was another issue frequently raised in the recommendations. The proposals asked for this to be ensured via the development of a minimum standards directive for media independence.

On anti-discrimination, citizens

said that the EU should provide criteria to protect minorities, women, youth, the elderly, and people with disabilities in the labour market. The proposals included introducing a two-stage EU law, that would “first, provide subsidies to hire employees from certain categories susceptible to discrimination,” and second, ensure that the law will “oblige employers to employ such groups for a minimum period.”

They also suggested inclusive measures to support employees, for instance, asking companies to provide kindergartens or playgrounds for workers’ children and give incentives to companies to build them.

LEGITIMISING CIVIL SOCIETY

Participants at the CoFoE have emphasised the role of civil society in implementing violations of the law, alongside governmental legislative processes.

At the event organised at the [Hambach Democracy Dialogue](#) of the [Friedrich-Ebert-Stiftung](#) on how to

empower citizens through the CoFoE, Éva Tessa Udvarhelyi – the head of office for community participation at the opposition-led municipality of the 8th district in Budapest – emphasised that Hungary and Poland are not just their governments.

Local civil society organisations are a crucial part in opposing to rule of law violations, she said.

INTERVIEW

Russia multiplies fake reports to further escalate the conflict, senior EU official warns

By Luca Bertuzzi | EURACTIV.com



View of the building housing the European External Action Service (EEAS), diplomatic arm of the European Union (EU) based in Brussels, Belgium. [EQRoy/Shutterstock]

Russia's attack on Ukraine is also being fought in the information space. While the narratives to justify the aggression have not changed significantly, the growing number of Russia's fake reports might be used to justify even more dramatic actions, a senior official of the EU's diplomatic service told EURACTIV.

Lutz Güllner is the head of strategic communications at European External Action Service, the EU's diplomatic arm.

What is the current situation in terms of disinformation around the Ukrainian conflict?

We see quite a massive presence

of disinformation of information manipulation, which has intensified in the run-up to the military aggression. Disinformation has been clustered around three main narratives.

The first one is a reversal of cause and consequences on the real aggressor. The second is a denial of the right of existence of Ukraine as a state. Thirdly, since the war has started, we have seen a lot of war propaganda in terms of losses and gains, atrocities, humanitarian situations, and so on.

Importantly, in this context, we see a lot of smaller narratives coming up, which we call trigger narratives that could be used for further escalation or justification of specific steps. These

include fake reports about bio labs or the alleged use of nuclear weapons.

According to reports, the Russians expected the war to be over in a few days. It has now been a few weeks. Has the Russian approach to disinformation evolved since the beginning of the conflict?

There was no massive new approach, but of course, the narratives keep on shifting permanently. Disinformation is very opportunistic, but we see a clear playbook with the three identified narratives. Where we see a lot of changes is now on what is happening on the ground. Interestingly, a lot of this information manipulation does no

longer come from obscure sources but comes directly from the Russian government's leadership.

In the meantime, most major platforms have banned Russian state-controlled outlets. How is the collaboration with the platforms going for what concerns fighting Russian propaganda?

All in all, we have seen good progress and welcome this. Our cooperation is based on the framework of the Code of Practice on Disinformation and, regarding Russia Today and Sputnik, on the legally binding economic sanctions. The platforms are continuing to implement the Code and have increased attention, especially in the Eastern neighbourhood, with expanded capabilities in terms of fact-checkers and languages covered.

As the pressure from these platforms increases, do you see or do you expect that Russian disinformation moves to other channels?

What we are facing are systematic, coordinated information manipulation operations. They use a combination of different instrumented such as state media, so-called information portals and social media. These operations hardly ever take place on one platform. We have indications that a lot of the traffic has moved to channels like Telegram, but we do not have quantitative instruments to measure this.

Could the EU do more to contain these operations?

Information manipulation is a real threat to the stability of the EU, to our democracies. We need to take it seriously and we are. That is what the European Parliament has done with its recent report of the committee against foreign interference, which included extremely helpful recommendations.

You need to increase situational awareness, better tools to detect and understand what is happening, strengthen resilience with media literacy programs, and cooperate with the platforms. We also have the Common Foreign Security Policy tools like restrictive measures.

There is no one silver bullet to address the issue. It is essential to look at this holistically. Information manipulation is often only one part of a hybrid activity, reaching into cyber threats and other forms of hybrid attacks.

What about the manipulation of information inside Russia? What is your assessment of the situation there?

If you cannot even use certain words anymore under threat of prison, the situation is really dramatic in terms of closure of the public space, restrictions and censorship. It is crucial to have independent voices that can be heard.

We are looking for alternative channels where Russians can hear another perspective, fact-based information. Although we are discussing this intensively, I cannot go into the details. Given Russian laws, we do not want to put anybody in danger.

For what concerns the sanctions against Russia Today and Sputnik, based on the precedent of Deutsche Welle, it was expected that Russia would retaliate and make it impossible for foreign media to stay in the country. Have these sanctions been counterproductive in the sense that they reduced the plurality of the media available in Russia?

These sanctions have been done with a clear legal basis and are currently being challenged in court

in France. A court will judge them, that is a big difference from the censorship in Russia. It is not a ban in the sense that we do not let the journalists work, it is about the broadcasting activities.

For us, the most important is the safeguarding of freedom of expression. These outlets do not represent genuine opinions. These are instruments of the Russian apparatus to influence external audiences to support this aggression. It is not about censorship of critical voices. It is about their behaviour.

We do not see these restrictions in the Russian media's landscape, with the criminalisation of certain words and closure of several outlets, as a reaction to our sanctions. We have seen this development for over months already, we have just seen an acceleration.

Has there been any comparable or similar attempt to manipulate information from the Ukrainian side?

No, it is not even fair to compare the two sides. We see from Russia a very coordinated, deliberate and systematic activity organised by the state that brings together very different parts of the disinformation instruments.

That can span from well-known state media to information portals, some of which directly connect to the Russian secret service, down to covert operations inside the social media system. That is information manipulation, and we cannot compare it with the activities of anybody else.

PROMOTED CONTENT

DISCLAIMER: All opinions in this column reflect the views of the author(s), not of EURACTIV Media network.

Democratization of Democracy: The Conference on the Future of Europe as a Role Model?

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By Filip Milacic | FES



[Shutterstock/Alexandros Michailidis]

In the recent years there has been much talk about the erosion of liberal democracy, which has been manifested in various disturbing developments: from decreasing trust of citizens in the institutions of representative democracy and decreasing voter turnout (in particularly among the

lower third socioeconomic group of the population) to the growing political and societal polarization and the rise of the populist radical Right that promotes ethnic nationalism and attacks civil rights and individual liberties. In general, these developments have often been portrayed as signs of citizens'

dissatisfaction with democracy.

Filip Milacic is a senior researcher at the Friedrich Ebert Stiftung's office for "The Democracy of the Future" in Vienna. His new book on democratization in Eastern Europe will be published this year by Springer.

DEMOCRATIC REFORMS ARE NEEDED

Yet citizens' decreasing satisfaction with how democracy works should not per default be understood as their alienation from democracy as a system of government. A change in the expectations from democracy is a plausible explanation as well.

Accordingly, ordinary citizens are dissatisfied because they do not want their role in political processes to be reduced to solely participating on the elections and thus be largely excluded from politics. Hence, democratic reforms are needed that would enable citizens not only to be more involved in the decision-making process, but in the will-formation process as well.

In this regard, a relatively new form of citizens' participation – citizens' assemblies – could be a part of the solution. But as the panelists of the last year's [Hambach Democracy Dialogue](#) agreed, the biggest enemy of deliberation is a bad deliberation. Therefore, certain preconditions must be fulfilled for citizens' assemblies to have a [positive influence on democracy](#).

THE IMPLEMENTATION OF CITIZENS' ASSEMBLIES

On the input side, first of all, the topic and the task should be well defined. Moreover, by selecting participants for the assembly via lottery procedure it must be ensured that the members of all parts of the society will take part in the assembly's work, in particularly certain disempowered groups. The representative sample should not duplicate representation deficits of current institutions of representative democracy.

With respect to the throughput, a non-partisan organization, which is in charge of the implementation of citizens' assembly, should ensure enough time for learning, consultation, and deliberation. During these three phases the citizens receive an input from experts and stakeholders, exchange with broader public, and discuss and evaluate newly acquired knowledge.

In addition, the internal communication process must be organized and moderated in such a way that all participants can contribute equally regardless of their social background. It is also crucial for the legitimation and acknowledgement of the outcomes of a citizens' assembly that the public is informed in greater detail about its composition and activities.

If the broad public is not familiar with the whole process or does not approve of it, the citizens' assembly could be politically marginalized. Media coverage is thus essential so that the work of citizens' assembly becomes a part of the 'breakfast discussions'.

Finally, there should be no ambiguities about the citizens' assembly's relationship with the political actors – whether it is a part of the decision-making process or it just has an informative character – and subsequently what is to be done with its output (recommendations). Otherwise, the whole project runs the risk of being instrumentalized by political actors or of gaining no traction at all and simply serving as placebo.

THE CONFERENCE ON THE FUTURE OF EUROPE

How does the Conference on the Future of Europe (CoFoE) fare with

respect to these criteria?

I will start with the input. Being composed of randomly selected citizens from all over European Union, and reflecting other relevant criteria (age, education, and rural/urban division), the CoFoE is satisfactory representative of the European society. Yet having in mind the topic and in order to counter the allegations of biasness, one should have perhaps included additional criteria for the selection of the participants such as the attitude toward the EU.

Moreover, a [multilingual digital platform](#) acted as the main entry point for shaping the agenda of the conference, which is controversial since the kind of platforms usually enjoy a limited representativeness. [The historical experiences](#) show that already politically active and privileged groups tend to be overrepresented. Indeed, the issue of self-selection and its, from the perspective of representativeness, negative influence on the agenda has already been identified as a weak spot of similar deliberative processes, with well-defined solutions to the problem still lacking.

The agenda's scope turned out to be more problematic for the whole process. The [agenda](#) being comprised of a wide range of topics such as education, employment, digitalisation, democracy, security, environment, climate change, health, foreign policy, and migration is simply too broad. As a consequence, such an agenda has been negatively affecting the throughput element of the process. The topic overload led namely to the lack of time for crucial phases of the process – learning, consultation, and deliberation –, which in turn affected the nature of recommendations (output).

Unsurprisingly, [many recommendations](#) would require changes to treaties, which is why they could more easily be ignored by the political actors – especially by already skeptical governments. Such recommendations facilitate the cherry-picking approach as well. This is in particular troubling since the design of the CoFoE foresees that in the plenary, composed of representatives of various European and national institutions and ordinary citizens, the latter are not in the driving seat when it comes to the selection of the proposals to be sent to the decision-makers. They can hardly count on the bottom-up pressure by the ordinary European citizens as the activities of CoFoE's are [still largely unknown](#) to the wider European public (this is not to imply that a detailed media coverage is easily achievable- quite contrary!).

THE COFOE IS A SUCCESS STORY

Notwithstanding these shortcomings, it would be wrong not to characterize the CoFoE as a success story. The CoFoE is not only the EU's first effort regarding the institutional reform in years, but also a very innovative way to initiate it. Hence, one should learn lessons and build on this experience in order to successfully institutionalize democratic innovations from which European democracy would greatly profit.

INTERVIEW

Regulation is the only way to make online platforms serve society, MEP says

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By Luca Bertuzzi | EURACTIV.com



MEP Tiemo Wölken at the plenary session in December 2021 intervening on the Digital Markets Act (DMA). [Philippe BUISSIN/European Parliament]

How can online platforms that seek to maximise profits be made compatible with or even foster consumer protection, democratic processes, and worker rights? For European lawmaker Tiemo Wölken, the short answer is regulation.

Last year, Paul Nemitz, the principal adviser to the European Commission's service for justice and consumer rights, stressed the need for making commercially-driven platforms serve democracy at an event of the [Friedrich-Ebert-Stiftung](#).

Meanwhile, the EU institutions

have passed or discussed flagship regulations to bring in rules for the unregulated online world. EURACTIV took stock of the EU's digital agenda with Tiemo Wölken, an MEP for the German Social Democratic Party (SPD).

The Digital Markets Act (DMA), flagship legislation intended to rein in Big Tech, was recently agreed between the EU co-legislators. How do you think this legislation will change consumers' and business users' relationships with these platforms?

Many essential points have made

it into the final text, as far as we know. The first one is interoperability for messenger messaging services, mandating gatekeepers to open up one of the most important elements currently guaranteeing their dominance.

Secondly, we have the political agreement to include a ban on targeted ads for minors and a banned on using sensitive personal data to tailor ads in the Digital Services Act. In the DMA, we have a clause that will prevent gatekeepers from spamming users with frequent, constant paths.

Lastly, we have agreed on an ambitious general fair access clause, which will mean that all gatekeepers need to provide access to their services under fair conditions, reasonable and non-discriminatory terms — closing any potential loopholes.

These points will completely change the regulation of Big Tech companies. However, I'm not convinced that 100 or 120 Commission officials will be enough to enforce the DMA properly.

In the Digital Services Act (DSA), some critical parts are being negotiated: the partial ban on targeted ads, provisions on recommender systems, dark patterns, and algorithmic transparency. What is your view on where things currently stand?

I am confident that our rapporteur Christel Schaldemose will reach a strong compromise on recommender systems and algorithmic transparency. We, as the S&D, were pushing for more regulation here from the start, especially following Francis Hogan's revelations.

Unfortunately, we did not have a political majority for more ambitious measures. Of course, the situation has completely shifted since the Russian invasion of Ukraine. Disinformation has entered the spotlight, mainly through state outlets like Russia Today and Sputnik.

I am convinced that we need a proper legal framework that deals with the dissemination of harmful but legal content. We should not simply treat it as illegal content since we need to be mindful of proportionality and fundamental rights. However, freedom of speech is not freedom of reach. We can restrict the visibility of content without taking down the content entirely.

Online platforms have privatised the public space but follow a commercial logic. How do you think we can handle a situation where a large part of the public debate takes place online, but where these platforms do not necessarily have incentives to respect the democratic process?

The main objective of any private company will always be to make money. We cannot expect private companies to contribute to our democratic debate unless we oblige them with regulation.

Unfortunately, the discussion about the internet as a space for public debates and a natural extension of the physical public sphere always comes a bit too short in most discussions on the EU level, which regards social media as a market to be regulated.

A key issue is that the algorithms employed by the large platforms do not favour open and fair political debate. They're designed to keep users on the platform as long as possible so that the platform can make more money by showing people ads. The content that keeps people on the platform is not necessarily quality news, but sensationalist reporting or outright disinformation.

An excellent example was a survey conducted by Avaaz on the performance of media outlets on Facebook ahead of the German Federal elections. Major outlets like German television ARD, Der Spiegel and Bild, have more followers than Russia Today. Yet, Russia Today managed to get more interactions with their content.

Russia Today knows how to play the Facebook algorithms. On the other hand, Facebook allowed them and earned a lot of money with them. So, they were happy to support this.

That is the core of the issue. If we want online platforms to promote democracy, we have to ensure the algorithms are designed to do this. And this is our task as politicians here.

Do you think there is more that the EU could do to promote pluralism in the online space, for instance, with the development of European platforms?

Creating a European Google or Facebook is doomed to fail. However, we can do things like creating a European public media platform for public broadcasters to share all of their content with all EU citizens. That could be the first step toward a truly European public cultural sphere.

In terms of algorithmic management, there is a proposed directive on the working conditions of platform workers. Also in this case, one could see tensions between the commercial interests and the European values. How do you think that the legislation can square these two aspects?

For social democrats, this is the critical question, not only in the platform worker directive but also in the context of the AI Act. What kind of algorithmic management systems will be covered by the AI regulation will depend on how broad the definition of AI ends up being.

We should regulate the automation of decision making, not a specific technology. Workers need to have the right to know whenever an algorithm takes a decision and to have this decision explained. There needs to be a responsible person who can be held accountable for decisions made by AI. Then we need to discuss if we should allow AI to interfere in all areas of our lives.



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