

# Europe Day 2022: End of the Conference on the Future of Europe – but the beginning of a Europe for all Europeans?

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On Europe Day, May 9th, the final report of the Conference on the Future of Europe (CoFoE) was presented to the Conference's Joint Presidency: Ursula von der Leyen, Roberta Metsola and, with France at the helm of the Council's rotating presidency, Emmanuel Macron.

One final time it was haunted by dual perception. On the one hand there were those closely keeping track of CoFoE noticing what was happening: a major experiment of participatory democracy that just might end up permanently reshaping the democratic landscape. On the other hand, unfortunately enough, the attention given by the wider public to the closing event of the Conference was much in line with the entire Conference process: elements that could have been improved being eagerly debated on, many of its actual accomplishments went largely unnoticed.

## An experiment of transnational citizen participation

This should however not temper enthusiasm. In fact, this unique occasion – the end of the biggest experiment of

transnational citizen participation to date – might even be the catalyst of making May 9th a Europe Day for all Europeans. Why so, one might ask? Amongst all proposals and measures included in the final report, rests the idea of making Europe Day a public holiday for all EU citizens. This should contribute to fostering a common European identity.

However, let us first shine a light on the final phase of the Conference, as the objectives of the process were much broader. With the goal of hearing citizens' voices on the future of Europe, did it contribute to the creation of a European public sphere?

## Reflecting on the Conference

With discussions on the future of the EU taking place on all levels of governance, what did the Conference deliver after involving and hearing European citizens for a full year? And what are the next steps to be taken?

In concrete terms, the different components of the [Conference Plenary](#) (including representatives of the Eu-

European Commission, European Parliament, Council, national parliaments, and citizens) agreed on a report to be presented to the Conference's joint presidency. This [report](#) consists of 49 concrete objectives on all [nine broad topics](#) that were discussed throughout the process. These objectives are complemented by 325 measures to achieve them.

Looking at this final report, two initial reflections come to mind: one of the Conference's aims was to create debates on the EU's future on all political levels. Does the report accurately mirror the different channels in which this debate took place? And where does the discussion on treaty change currently stand?

### 1. From input to output

How did the different channels through which recommendations were formulated feed into the Conference? From a multi-level perspective, it quickly becomes clear that different input channels had different authority in the drawing up of the final report.

The primordial source of input for the final report clearly are the recommendations from the [European Citizens' Panels](#). Those are complemented with input from the [national citizens' panels](#) of some member states and aggregated output from the [multilingual digital platform](#).

However, whereas the final report clearly and specifically linked some of its proposals to certain recommendations from national events, no such

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<sup>1</sup> Such are for example the request for qualified majority voting instead of unanimity in several ar-

links were established with recommendations stemming from the multilingual digital platform. Rather, the final report repeatedly referred to a [summary of the proposals on the platform](#) realised by the data company Kantar.

How does the absence of a direct link impact the evaluation of the process? It can be argued that for participants of the platform (as well as of other events than the European or national citizens' panels) a stronger link needs to be created between their input and the final report, and it is hard to refute this.

On the other hand however, the Conference, with support from local and regional authorities and civil society, created the opportunity for many to raise their voice and many of their recommendations resonate with proposals in the final report.

Although future formats need to establish clear ground rules on how all work streams feed into the outcome, it should be noted that opportunities were created where there were none before. This in itself is a major achievement of the process that should by no means be disregarded.

### 2. Treaty change: are the institutions up for the challenge?

Secondly, from the 49 proposals and 325 measures, some clearly require treaty change for their implementation.<sup>1</sup> It is here that a lot has happened in recent weeks.

... eas, a right of initiative for the European Parliament, introducing a new EU citizenship statute, EU-wide referenda, creating a European Health

Although never considered an objective as such, the European Commission has continuously reiterated that they would play their part if citizens proposed recommendations that required treaty change. Even though underlining what the EU can already do within the current Treaty framework, von der Leyen [explicitly reconfirmed this position](#) at the closing ceremony of the Conference.

The European Parliament from its side has however clearly supported the idea of treaty change and although two of the political groups in the EP (ID and ECR) argue that the proposals do not reflect EU public opinion and will thus not support them; five other groups (EPP, S&D, RE, G/EFA, and the Left) agree on the major political achievement of CoFoE's outcome.

Consequently, during its May Plenary, the European Parliament already passed a [first resolution](#) demanding a Convention to revise the treaties, which EP President Metsola labelled as the logical next step.

### The ball is in the Council's court

This puts the ball on treaty change in the Council's court. A couple of months ago, it was hard to envision that a simple majority of member states – the majority required for the treaties to be opened for revision – would vote in favour of a Convention. However, the current geopolitical situation might force the hand of those

reluctant towards further EU integration to revise their position.

Combine this with an unusual balance of pro-EU coalitions at the helm of member states, this might open a window of opportunity to find such simple majority to support the start of a Convention. Not only did Macron, in line with von der Leyen and Metsola, [speak out in favour of treaty change](#) at the Conference's closing event, so did Italian Prime Minister Mario Draghi and German Chancellor Olaf Scholz on separate occasions.

On the very same day as Macron's statement however, no less than 13 member states released an [open letter](#) speaking out against "unconsidered and premature" calls for a Convention.

Still, not all 13 are necessarily against treaty change. For example, one of its signees (Czechia) has indicated being 'not opposed to dialogue on the opening of the Treaties, but do not see this as the only possible approach', as [stated by its Minister for European Affairs, Mikuláš Bek](#).

Moreover, six other member states replied with an [open letter](#) stating that they 'remain in principle open to necessary treaty changes. Would it not be holding the rotating presidency, France would probably be among its signatories

Even though only a simple majority of the Council needs to vote in favour to call for a Convention, the Council will not want to appear too divided, and

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Union, European minimum wages, strengthening the Parliament's right of inquiry, discussing a European Constitution, introducing transnational electoral lists...

the June European Council will be pivotal on whether agreement on their follow-up to CoFoE can be found or not. However this plays out, one should pay sufficient attention to the positions of the letters' signees and whether member states get divided around old frictions or rather find unity through diversity to build a common position.

### **If not a Convention, perhaps an Intergovernmental Conference?**

Is a Convention however the only option to have a dialogue on possible treaty change? An alternative that receives less attention would be an Intergovernmental Conference (IGC). This might be a quicker way towards treaty change, and perhaps even one more palatable for member states' governments. However, there are several considerations to be made when comparing it with a Convention.

Firstly, according to [art. 48 \(3\) TEU](#), the European Parliament would have to give its agreement to an IGC. As the organisation of an IGC usually allows for narrowing down the scope of negotiations, one can wonder whether the EP would delegate this responsibility to the member states. After all, several reform proposals aim to increase the EP's competences (its right to initiative, its role in the EU budget, etc.).

Secondly, does it make sense to attribute the power of shaping treaty reforms and thus the future of the EU to member states rather than allowing all institutions a seat at the table – especially on the back of a consensus-seeking exercise like the Conference?

Thirdly, negotiations in an IGC usually conclude within a shorter timeframe. This however raises questions regarding the (perceived) opaqueness of intergovernmental bargaining. Compared with a Convention, in which institutions and member states need to find a common denominator in the public eye, an IGC appears much less transparent and accountable.

The Conference on the Future of Europe not only managed to get citizens' voices heard and created a window of opportunity for the creation of a genuine European public sphere; it also brought to the attention of the public eye the divergent interests of EU institutions and individual member states. Realising this is a crucial element in understanding how the follow-up to the Conference gets shaped, specifically when opening the debate on possible treaty changes.

### **3. Towards a participatory future?**

A last reflection comes from von der Leyen's [intervention at the closing event](#). In her remarks she announced that in the future (European) Citizens' Panels would be organized, allowing the Commission to take into account citizens' voices when tabling key legislative proposals.

The Conference has been an intense process. That the appetite for deliberation and citizens' engagement was not lost, but rather reinforced because of it, is a promising sign for the future of (transnational) democracy.

Working towards von der Leyen's State of the Union speech in September (when she will announce specific proposals for the follow-up of the

Conference), many will try to shape what this participatory space could or should look like. But, as [stated by Commissioner Dubravka Šuica](#), one thing looks certain: 'The train of deliberative democracy has left the station and there is no going back'.

The participatory toolbox of the EU is set to be expanded. With it hopefully comes increased opportunity for those outside the EU-policy bubble to raise their voice on what is most important to them.

### **End of the Conference, a time for optimism?**

One could cautiously feel optimistic about the outcome of the Conference. For the best part of it, it was overlooked and neglected. Now all of a sudden, it is in the spotlight with many eyes seemingly pointed in the same direction. Cautiousness however is perhaps the most important sentiment to take away from this experience.

Yes, the Conference was a big experiment of participatory democracy which can and should be repeated in different formats in the future, notwithstanding lessons learned.

Yes, the outcome is ambitious and some of these proposals can show the way for an EU fit for the future.

But even if both the institutions and member states can get aligned right now (which already will prove challenging), one should also be mindful of why the previous attempt at a European Constitution failed in 2005. Its plug was pulled after citizens at large voted it down in adoption referenda in France and the Netherlands, creating a decades-lasting aversion of engaging in treaty change. On the one hand it should be noted that due a difference in perception an IGC reduces the risk of rejection in adoption referenda. On the other, the Conference aimed to get citizens and institutions aligned on the direction for the EU, reducing the risks related to a Convention.

Reality is however that throughout the Conference, only a very small fraction of citizens was aware of what happened, and even fewer have actively engaged with it. Even if institutional mindsets have changed, the big question is whether societal mindsets have evolved in a similar way. Are citizens ready for more power being handed over to what is by many still perceived as a supranational organisation haunted by its democratic deficit?

Whichever way it goes, after all has been said and done, the Conference will prove to have created a watershed moment for European democracy even when many did not expect so at its conception.

*This paper was first published as a [contribution](#) to the blog *Der (europäische) Föderalist*; and co-published by [Democratic Society](#) and [Egmont Institute – Institute for International Relations](#), where Ward Den Dooven is affiliated respectively as Project Officer for Networked Democracy and Associate Fellow. He holds an MA in European Political and Governance Studies from the College of Europe and an MA in Economics, Law and Business Studies from KU Leuven.*