

Bringing the European citizen closer to its institutions with a democratic package

1. Executive Summary

To overcome the democratic deficit that has been criticized since the creation of the European Union, a "democratic package" comprising two central measures could be put in place quickly and without modification of the treaties.

The first step would be to give European citizens the possibility to vote for trans-European lists during the election of the European Parliament and no longer only for national lists. This would help to develop a sense of European belonging among the population and make MEPs better known throughout the EU. Creating a sense of belonging would be measure No. 1.

The second measure tries to facilitate the launch of a citizens' initiative to encourage citizens to become more involved in European political life. This would be achieved through the simplification and harmonization of the collection of personal information and the freedom to choose when to start collecting support, i.e the repeal of the current obstacles to launch such an initiative. Moreover, in case of a refusal by the European Commission, it could debate the proposals made – which nevertheless reflect the opinion of at least one million citizens –, propose a more realistic counter-project or only chose a single aspect of the initiative. The democratic expression facilitated and considered by the European Commission does represent measure No 2.

This "democratic package" should place citizens more at the center of decisions taken within the EU, strengthen their sense of belonging and the representation of European issues within the Commission. These factors will be decisive in reducing the so-called "democratic deficit" of the EU and strengthen citizens' confidence in the functioning of the EU.

2. Democratic deficit: what are we talking about?

The term "democratic deficit" is used to express the fact that EU institutions and their decision-making processes suffer from a lack of democratic legitimacy and appear to be inaccessible to citizens because of their great complexity. As the EU is not represented by a "government" per se, people do not feel that they can address the EU as such.

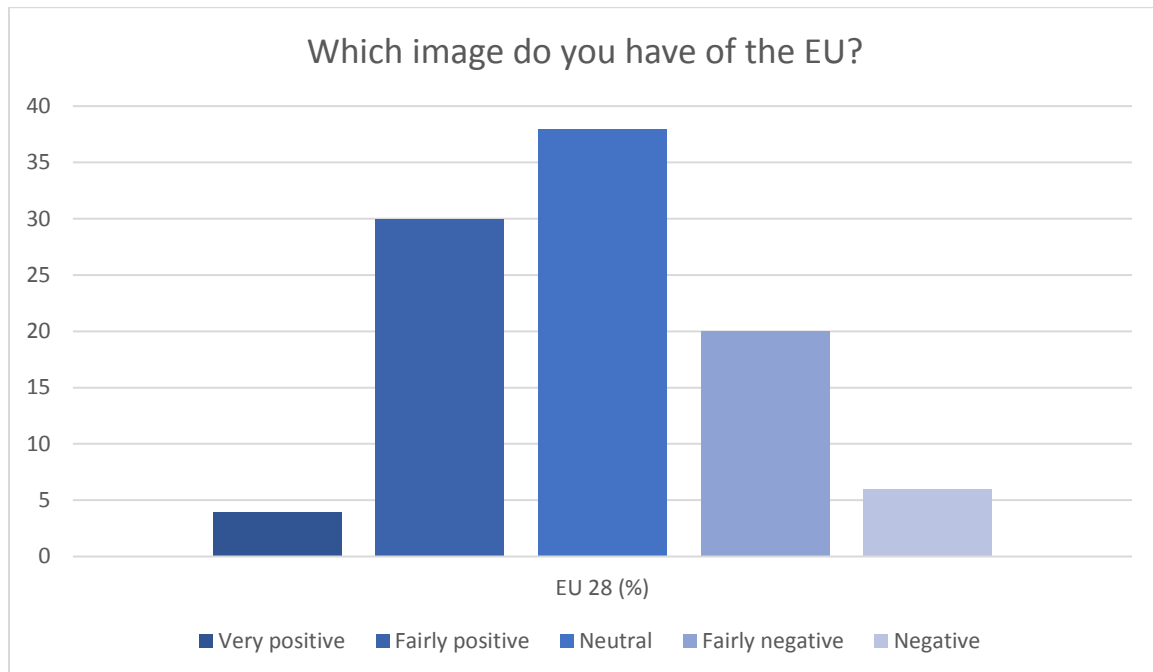
Moreover, it must be acknowledged that the context in which the European elections are conducted is very unfavorable to European sentiment. Indeed, electoral campaigns are instrumentalized by national political parties for national policy objectives. In addition, the information on the stakes of the elections remains very inadequate and even erroneous, not to mention the absence of European arguments in the electoral campaigns, among many other elements.

2.1 The EU is in fact already democratic

A common expression in the language of anti-European politicians is that the EU would have been made "against the people". It is true that the political unification of the continent has not been carried by an irresistible popular movement, but it is also true that the historical circumstances of the creation of the European Community – a Europe destroyed and peoples caring only about their survival – prevented this enthusiasm. Moreover, to say that the EU suffers from a democratic deficit does not mean that it is not democratic. Indeed, the European Parliament is elected by universal suffrage, the Council of the EU brings together members of democratically elected governments, the European Council brings together the Heads of State of the latter and Europeans can help to decide who should lead the Commission. As the European People's Party won the most votes in the 2014 European elections, their candidate Jean-Claude Juncker was elected as Commission president. Finally, as the Brexit example illustrates, each country is free to leave the EU whenever it sees fit.

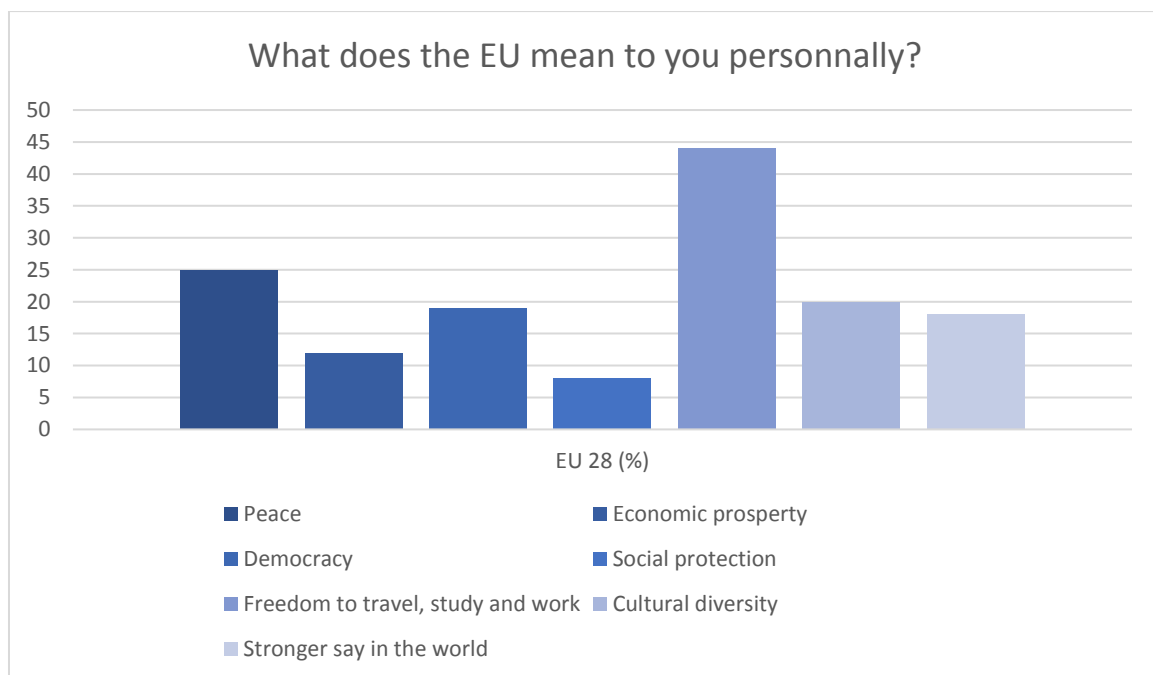
2.2 How to explain this feeling?

The EU is an imperfect construction that has become an everyday reality. It has become an asset, of which the inhabitants are no longer conscious. Europeans no longer notice how much it is part of their life and they no longer measure its importance. At the same time, most elected officials have played a double game for decades: all the problems are attributed to the EU and all successes to the nations. The EU endorses the failures of national policies. However, the EU is a complex project, not easy to explain and understand, which sells itself very poorly and which is often confined to offices. It must undertake considerable efforts to increase the understanding of its actions and to draw closer to its citizens. Looking at the figures published by the Eurobarometer of the European Commission (see graphs below), 34% of those surveyed have a positive view of the EU but that democracy is only on the fourth position in the representation of the EU behind freedom to travel, peace and cultural diversity.



Source : European Commission, Eurobarometer:

http://ec.europa.eu/public_opinion/archives/ebs/ebs_415_data_en.pdf



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2.3 What progress has been made in recent years?

Even if the EU is currently already democratic, there is still room for improvement, particularly in terms of the involvement of the citizens and the Parliament. That's why the issue of the EU's democratic deficit was included in the drafting of each new treaty. The

intergovernmental conferences leading to the signing of the Maastricht, Amsterdam and Nice Treaties have strengthened the powers of the European Parliament and widened the scope of the Council's powers of co-decision with the Council. The European Parliament has become a full-fledged co-legislator rather than a consultative assembly. More recently, the Treaty of Lisbon strengthened the European Parliament's financial, legislative and supervisory powers. At the same time, it has also extended its influence to the appointment of the Commission and its President. The Treaty of Lisbon has also introduced the European Citizens' Initiative (ECI), a tool for participatory democracy that has been operational since February 2012. It involves European citizens in inviting the European Commission to submit a legislative proposal to the European Parliament and Council, according to its right of initiative. This requires that the proposal falls within the Commission's sphere of competence (i.e an area of exclusive competence of the institutions of the European Union). The ECI procedure is detailed in Regulation (EU) No 211/2011 of 16 February 2011 on the Citizens' Initiative. The initiative must be supported by at least one million European citizens from at least seven Member States (one quarter of the EU Member States). A minimum number of signatories is required in each of these seven Member States. This threshold depends on the number of MEPs elected in the States concerned.

Lastly, at the level of member states, a bubbling of movements that wants to talk about Europe, to redefine its action, develop its influence or its democracy have appeared in recent months. Similarly, in large countries, new leaders are openly pro-European, such as Emmanuel Macron in France or Martin Schulz in Germany. At the same time, the EU's declared enemies such as Donald Trump, Vladimir Putin, Recep Tayyip Erdogan or Roger Köppel – even if they win elections – do not achieve extraordinary political results and seriously worry people who are realizing that these men could be infinitely more dangerous than the Parliament or the Commission.

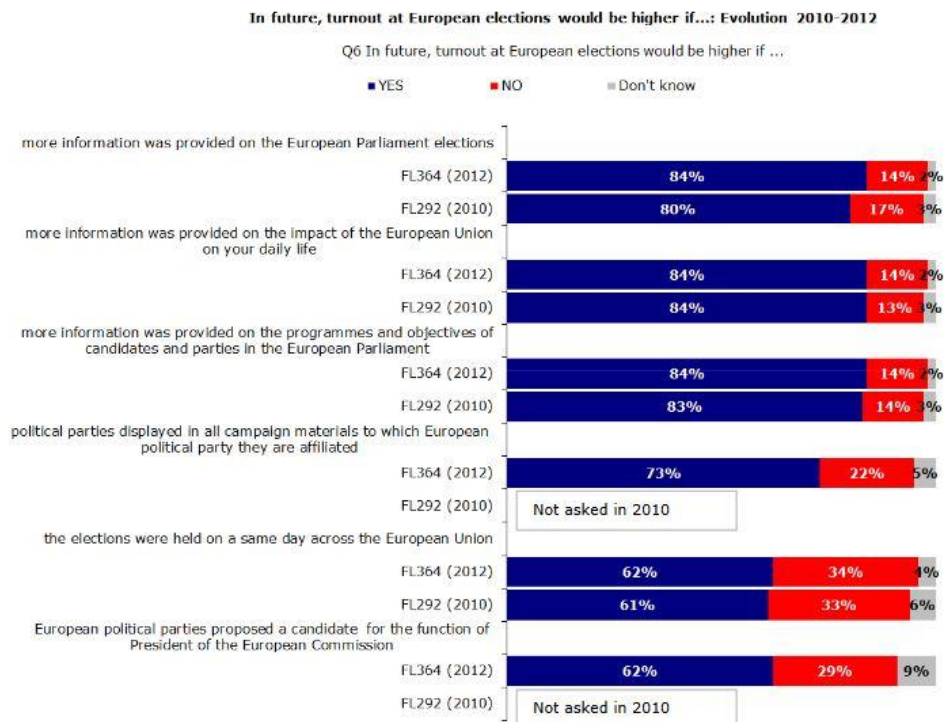
3. How can we finally put an end to the feeling of democratic deficit?

As mentioned above, the improvement of the democratic system has been at the center of all the new steps of European integration. It is also true that the problem is complex and that no consensus has been reached between Member States or in the scientific literature to put in place solid measures. However, some of them have already been provided for in the treaties and others can be implemented easily. This paper presents two that could be put in place in the form of a "democratic package" for the EU.

3.1 Creating a sense of belonging

The first measure would give European citizens the possibility of voting for trans-European lists during the election of Parliament and no longer only for national lists. This would help to develop a sense of European belonging among the population – besides other measures such as education and training – and to make MEPs known throughout the EU. According to the Eurobarometer of the European Commission of March 2013 (see graphs below), 84% of respondents believe that if EU citizens would be better informed about political parties,

European elections in general and the impact of the EU on their daily lives, the percentage of voters in the European elections could be much higher.



Source : Eurobarometer 364 of the European Commission (2013).

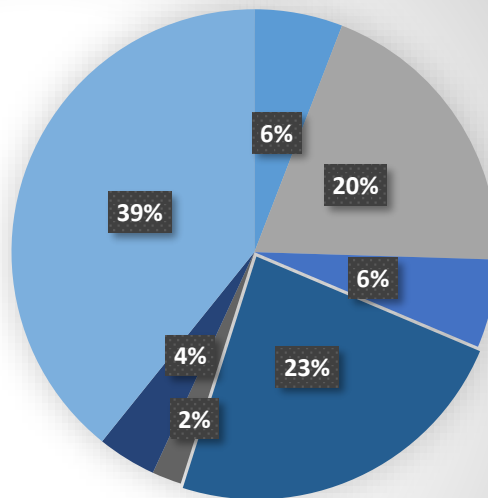
However, it seems that the lack of mobilization is also due to the low attractiveness and lack of clarity of the European elections. The opening of a trans-European vote would allow citizens to choose candidates that correspond to their opinions regardless of the State of residence. Finally, the transnational lists can put an end to the contradiction between the distribution of seats in the European Parliament according to quotas between national political parties and the Treaty of Lisbon, which stipulates that MEPs are "representatives of all citizens of the EU".

3.2 Facilitated and strengthened democratic expression

The second measure would facilitate the launch of a European citizens' initiative. Indeed, the balance of the ECI is rather negative. Since April 2012, date of the instrument's implementation, only 51 applications for the registration of ECI proposals have been submitted. Worse, the success of the ECI has fallen sharply in recent years: 16 applications were introduced in 2012, nine in 2013, five in 2014 and two in 2015. Of the 31 initiatives registered (20 applications were rejected as "legally inadmissible"), only 18 have reached the end of their collection period (10 were withdrawn before the end) and only 3 initiatives have reached the one million signatures required.

European citizens' initiative

- Collecte en cours
- Retirées
- Collecte clôturée
- Initiatives clôturées sans le soutien nécessaire
- Attente de la réponse de la commission
- Ayant reçu réponse de la commission
- Enregistrement refusé



Source : European Commission, <http://ec.europa.eu/transparency/regdoc/rep/1/2015/FR/1-2015-145-FR-F1-1.PDF> (viewed on 09.04.2017)

This facilitation is even more legitimate since the First Vice-President of the European Commission Frans Timmermans himself announced on 11 April 2017 the need to reform the ECI. "I want to make it more accessible and closer to the citizens", he said. For its part, the European Parliament considers that "the considerable drop in the number of new initiatives is one of the consequences of the disproportionate requirements and the unnecessary complexity of the system", which should lead the Commission to take "all necessary measures to promote ECI and strengthen citizen's confidence". The content of the revision envisaged by Frans Timmermans is not known yet, but there are several crucial steps to do to encourage citizens to become more involved in European political life.

The first step is to simplify and harmonize the collection of personal information, to eliminate the existing barriers to the launch of such an initiative. The current system is extremely complex, as witnessed by Stanislas Jourdan, organizer in France of the European Citizens' Initiative for an unconditional basic income which has collected 300'000 signatures in Europe: "the system of collection of signatures was a real nightmare to establish. It is a software provided by the European Commission, and its Luxembourg branch offers a free hosting service, which would otherwise be very expensive for the organizers. But the implementation of the latter remains very complex, because it is necessary to respect an extremely cumbersome specification. (...) In the end, the collection of signatures could only start in March, with two precious months of delay over a period of 12 months to collect a million signatures. (...) New problems have arisen once the campaign was launched. (...) In particular,

the difference between the "citizenship" and "country of residence" fields was unclear and in some cases simply prevented citizens from signing our initiative". In the light of this testimony, the unification of signature forms, the freedom to choose the starting date for collecting support and the simplification of the collection system would already make it much easier to collect the number of signatures required in the allotted time

4. Set up a "democratic package" in two steps

The "democratic package" would have two central steps. The first one would be to give European citizens the possibility to vote for trans-European lists during the election of the European Parliament and no longer only for national lists. The second one tries to facilitate the launch of a citizens' initiative to encourage citizens to become more involved in European political life.

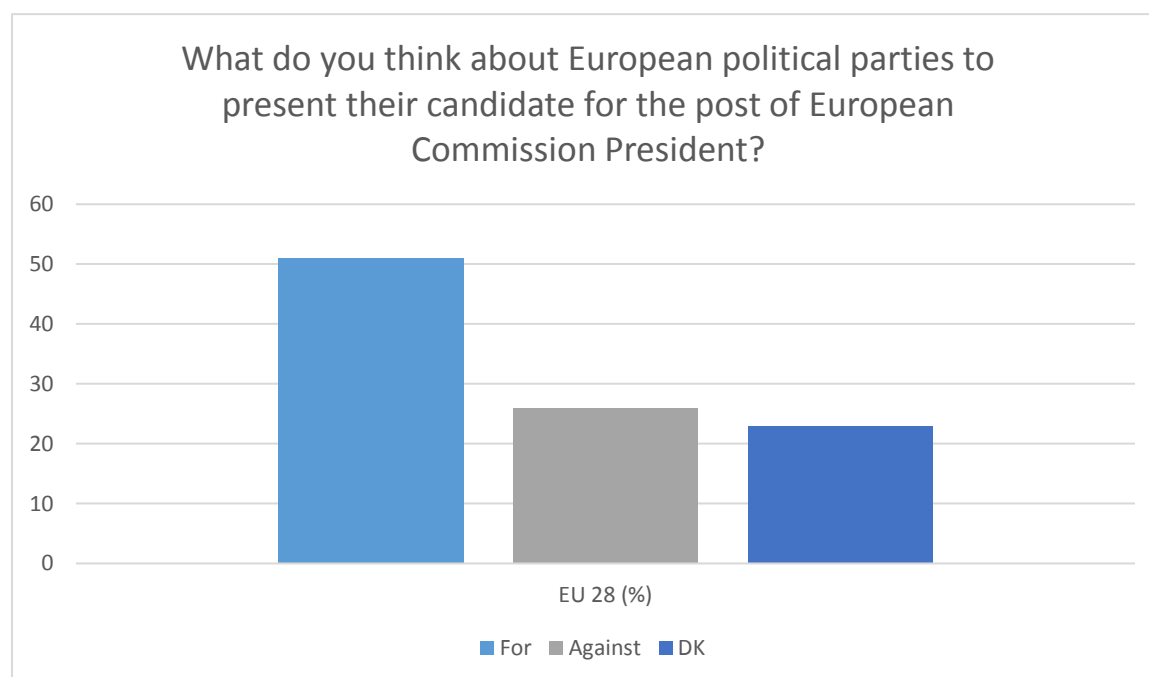
4.1 How to pan-Europeanize the electoral rolls?

There are several ways to set up transnational lists. MEP Andrew Duff presented a "light" formula in 2011. He proposed combining national and transnational lists, giving citizens the opportunity to elect a part of the assembly on pan-European lists by creating 25 new seats of parliamentarians and by having each voter vote twice, once for a national list and once for a European list. This reform was not finally discussed in the European Parliament. In 2014, a second electoral reform proposal was put in place. In this new project, the single constituency was removed and finally reintroduced by Parliament.

The proposition of this policy paper is to set up transnational lists in several stages. As proposed by Andrew Duff, it would start with a reduced number of seats which would be allocated through the transnational lists. To do this, the Brexit offers a perfect opportunity: the 73 seats left empty by the British could be redistributed at European level without national quotas. This idea has been stressed for several months by the Italian Secretary of State for European Affairs, Sandro Gozi. This solution could be combined with the one promoted by Guy Verhofstadt, European Parliament's chief negotiator, namely to allow British citizens who wish it to retain their European citizenship and therefore to appear on the list without being affiliated to a nation. However, this option can only be temporary because it has several disadvantages: these lists would only concern a small proportion of deputies (a sort of alibi for good European intentions), the remaining Parliamentarians still being elected on national lists. Worse, voters now have two votes, they would be tempted to vote "European" with one and "national" with the other. Moreover, there is a great risk that the national parties will compete with the European parties.

That is why this phase should be short and allow the transition to a unification of national parties at European level. This transition is made difficult today by the extreme complexity of affiliations between national and European parties and by the large number and diversity of national parties. Two of them (at least) are sometimes affiliated to the same European party. There are still marked differences in the ideas expressed not only between the European parties and their national counterparts, but also between the national parties that are members of the same European party. It is therefore necessary to make the transition to

unification in stages according to the idea that the Union of European Federalists (UEF) has already launched in its paper entitled "Federalising political parties in Europe". First, the votes should be allocated to political parties at European level. This system would allow each citizen to vote for a European party and not for a national party (for the "Parti populaire européen" and not "Les Républicains" for example), while maintaining the national quotas and the current constituencies, as well as the legitimate role of national parties in elections. This practice has the advantage of allowing member states to keep their quotas in the allocation of seats in Parliament and to maintain their electoral practices while allowing European citizens to vote for a European party and not a national party, even if this one ensures the electoral logistics. Each national party would carry the ideas of the European party, which would lead to a pan-European campaign, with the possibility of keeping certain national differences. However, each voter would have the possibility of voting for all the candidates of the list, even if he or she is not a citizen of his or her Member State. The distribution of seats in the European Parliament would be based on the results of European and not national parties, which would strengthen the democratic legitimacy of the European Parliament. The elections would thus be Europeanized on all MPs and no longer on a small percentage and voters would continue to vote for personalities who are close to them but linked to a European program. Finally, the leader of each party could be nominated for the post of President of the Commission, an idea which 51% of Europeans agree (see graph below).



Source : Website European Commission, Eurobarometer:

http://ec.europa.eu/public_opinion/archives/ebs/ebs_415_data_en.pdf (viewed on 09.04.2017)

4.2 How to make ECI accessible to all?

As mentioned above, the second measure of this "democratic package" would be the facilitation of the launch of the ECI and the increase of its consideration by the Commission. By this we solve the biggest challenge in the implementation of the ECI, namely the lack of concrete effects on European legislation despite its influence on the Union's credibility by the citizens. Today, only the "Right2Water" initiative has resulted in a reaction from the Commission, but it has only launched a consultation with a view to a possible revision of the legislation on the quality of drinking water. In doing so, it has in fact reiterated the commitments already made.

In practical terms, the steps to be taken to implement this are very simple and consist of two measures. Firstly, the Commission must continue to negotiate with the Member States to reduce their requirements for signature forms. For example, in 2013, Spain, Ireland, France, Luxembourg, the Netherlands and Slovenia have already agreed to abolish the nationality and residence requirements to enable their nationals residing in another Member States to sign an ECI, and vice versa, to allow all European citizens present on their territory to give their support. At the same time, the Commission must give the possibility to store signatures free of charge on its servers on a permanent basis, using the existing budgets at Union level and not requiring the ICE organizers to have on-line collection software and a hosting service provider to store the harvested signatures and associated personal data as it is currently the case. Finally, the initiators must be able to choose the launch date of their initiative and not necessarily start on the day of the Commission's agreement.

The second measure would give the European Commission the opportunity, if the text is rejected, to debate the proposals made – which nevertheless reflect the opinion of one million people – or even propose a more realistic counter-project. Or, as already proposed by the European Parliament, to consider the possibility, when the initiative does not fall within its competence, to register only part of the initiative, or even to refer all or part of the initiative to the competent national authority. It would also be necessary for the Commission to provide a simpler and clearer answer when it explains a refusal opposed to an initiative. Indeed, these messages are addressed to citizens and not to experts in European policy.

These two measures are extremely important to restore confidence in citizens in the European Union and in their ability to influence decisions taken within the European Union and to participate in its political life.

4.3 Conclusion

This "democratic package" is extremely important to restore confidence of citizens in the European Union by strengthening their ability to influence decisions taken within the European Union and to participate in its political life. These two measures are the ones most likely to bring together the approval of all member states of the European Union and could be implemented rapidly. However, with the election last May of Emmanuel Macron to the French presidency, it seems that other reforms necessary for the smooth running of the EU are on the right track. Indeed, since the beginning of his mandate, he has multiplied the meetings

with his European counterparts and has not hesitated to raise the question of a reform of the treaties, a rather taboo issue at European level since the signing of the treaty of Lisbon. Finally, with movements such as "pulse of Europe", which brings together many Europeans every Sunday afternoon on the whole continent, the feeling of belonging to Europe is being strengthened and it is through this feeling that the one of the democratic deficit will be overcome. 2017 could well be the year that saw the European feeling put back at the center of political discussions...

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6. Contact

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