



A European Citizens' Assembly Needs to *Empower* the Citizen



European citizens consistently demand more possibilities for being heard on the European level. They want to have a say in the creation of European policies. A permanent European citizens' assembly would be an audacious move towards the building – and vitalizing – of European democracy.

In the run-up to the Conference on the Future of Europe, **Citizens Take Over Europe**, together with academic experts and practitioners of transnational and deliberative democracy, proposed a [Manifesto](#). CTOE advocates a transnational European Citizens' Assembly (or Assemblies). It has outlined basic guidelines with [10 democratic standards](#) any citizens' assembly needs to follow in order to decisively contribute to democratic innovation.

Building on these efforts, and observing a willingness of European actors to institutionalise a permanent form of citizens' deliberation, CTOE strongly recommends an institution with a robust bottom-up and citizen-empowering nature. Currently, propositions present citizens' assemblies as an 'add-on' to existing consultation mechanisms, without however meaningfully changing the status quo of existing power relations or of decision-making procedures. CTOE thinks that a technocratic approach does not do justice to the claim for a true Citizens' Europe. We hence emphasise five dimensions that are absolutely crucial if a European Citizens' Assembly is to effectively democratise EU politics, create a robust bottom-up channel, and give citizens a voice with real consequence.

First, the process needs to be **citizen-led** in multiple ways. Deliberative democracy tends to be a top-down process "on invitation only". A citizens' assembly needs to allow a citizens' voice in a wide range of its facets: agenda-setting, monitoring of outcomes, design of the process, invitation of stakeholders and experts, as well as regarding follow-up and tangible policy-making.

Second, great attention should be paid to the broad **inclusion** of participants. A broad, pluralistic, and minority-sensitive inclusion is of utmost importance if a European citizens' assembly is to be legitimate and representative. Random selection ought to include a broad range of people, not merely formal EU citizens; and it could also consider significant inclusion of civil society actors.

Third, there must be a **binding mandate** from the process, which guarantees citizens that their views will have weight from the start. This mandate needs to be clear from the start.

Fourth, an EU-level citizens' assembly needs to prioritise **publicity** and **visibility**, linking the mini-public to the huge European macro-public. The biggest failure of CoFoE has been its invisibility, among citizens but also amidst other relevant (public) actors.

Fifth, the Assembly instrument must be **effectively funded**. Citizen participants need to be adequately funded. The assembly or assembly panels need attractive incentives for citizens of all age groups and backgrounds that will stimulate them to engage. Such incentives will include moments of enjoyment, sociability, and cultural engagement. We should not forget that culture is key to opening up and nurturing the democratic imagination.

1. A European assembly to empower citizens

A permanent **European Citizens' Assembly** is a courageous step forward in the democratisation of the European Union, a decisive move towards a Europe closer to the citizens. European citizens consistently demand more possibilities for being heard on the European level and to have a say in the creation of European policies. A permanent

citizens' assembly is an audacious move towards the building – and vitalizing - of European democracy.

Representative democracy is everywhere facing formidable challenges, not least widespread citizen distrust, the mainstreaming of anti-pluralist positions and a lack of tolerance, and the difficulty it has in addressing the biggest long term challenges, notably climate change, when it is beholden to short term election cycles. Since the Lisbon Treaty, representative democracy has been identified as a core dimension of the EU (article 10 TEU). Representative democracy needs to be strengthened, but also clearly has its limits, in particular in its emphasis on indirect, mediated forms of democratic politics. In order to safeguard democracy in an age of multiple challenges, it is of utmost importance to **innovate democracy**. It has to be recognized that modern democracy has known different forms and manifestations, even in its relatively short modern history. But even more important is to recognize the critical **capacities of citizens** themselves, as democratic agents relatively unaffected by intrinsic problems of the representative democratic games, such as forms of closed, oligarchic rule of entrenched elites or the revolving doors between politics and business.

Experiments with citizens assemblies in representative democratic contexts are a recent phenomenon, with not unequivocal success. Large-scale assemblies have been set up in Canada, the Netherlands, Iceland, France, Ireland and now in the form of the **Conference on the Future of Europe** (CoFoE). These experiences have revealed both important benefits as well as potential pitfalls of this new democratic walk. The most important problems stem from the fact that citizens assemblies' have been ad hoc attempts at participation, with often insufficient resources, and unclear objectives and policy implications. The citizens' panels of the **CoFoE** suffered from quite a number of these 'growing pains' of citizen assemblies: ad hoc set up, short duration, agenda overloaded with topics, lack of balanced expert interventions, few constructive forms of interaction between experts, political representatives and citizens, uncertain outcomes. Citizens Take Over Europe recommends that a crucial answer to such problems is the institutionalisation of citizens' assemblies which allow for widespread citizen influence and control throughout the different phases of citizens' assemblies operation, allowing for decisive citizen empowerment.

2. From the CoFoE to a permanent European Citizens' Assembly

Citizens' assemblies are not yet a part of 'democratic normality'. Their 'upbringing' needs to be accompanied by clear ideas of how assemblies can evolve into a viable and vital part of democratic politics, without endangering representative democracy and without the pretence to revolutionise politics. Assemblies are not a panacea for all democratic woes. But their functioning – and hence potential - can be improved radically, helping to revitalise the democratic promise. Already before the start of the Conference on the Future of Europe, Citizens Take Over Europe, together with academic experts and practitioners of transnational and deliberative democracy, united in a [Manifesto](#). CTOE advocates a transnational European Citizens' Assembly (or Assemblies), outlining basic guidelines with [10 democratic standards](#) any citizens' assembly need to follow in order to decisively contribute to democratic innovation.

Participation is the essence of citizens' assemblies. Even more so in a transnational setting, citizens from highly diverse backgrounds all need to be able to voice – and

develop - their ideas and opinions, while having access to balanced and high-quality information from the side of experts. It is essential that citizens assemblies turn not into mere communicative or isolated exercises, where citizens are merely 'educated' about policy issues and/or where their opinions remain confined in the exercise itself, to be forgotten immediately after. Continuity is hence important. In fact, citizens should have ownership over the process, so they are not merely consulted, but also get to set (in dialogue with other stakeholders) the rules of how and what the assembly discusses, decides and how it gets a response from institutions.

The selection of citizens by sortition should be geared towards broad and diverse representation of citizens from all over – and even beyond – Europe. An **inclusive selection** of citizens, including structurally marginalised groups, needs to be guaranteed, while citizens' political attitudes – including sceptic, negative ones - towards the EU need to be taken into account to make the assemblies legitimate in the eyes of diverse publics.

Citizens' assemblies cannot become part of democratic normality if their deliberated outcomes will not be taken up in the policy process. Consultation is not sufficient to stem the tide of citizens' distrust; a clear **impact** of the assemblies' results gives an unmistakable signal to the European public that their views matter.

And in contrast to the **CoFoE's** universal, over-extended approach to themes to be discussed - 9 macro-areas in total - the assemblies' agenda should focus on a clear theme for which the **citizens themselves**, for instance through a specific citizen body, select key priorities and problems to be resolved.

The CoFoE seems not to have heeded sufficient attention to the importance of balanced, contrasting and pluralistic information in the form of expert positions. Such information is crucial for citizens to be able to reflect on complex issues, to learn in their deliberations, and to come up with balanced, well-thought out recommendations. A permanent assembly would need to provide solid means of **deliberation**, including sufficient time, a safe and comfortable deliberative space, and proper time for reflection. It should allow each participant equal opportunities to form intelligent and well-formed opinions in complex and frequently polarising matters. Such opinions can subsequently be made to bear on the construction of balanced policies, not least in areas where highly diverging opinions exist (such as migration, health policy, solidarity), and where opinions are stuck in a 'confirmation bias'.

While the Conference has foreseen the organisation of national and local events, these have remained disconnected from the transnational process. A permanent assembly would need to be an embedded form of **transnational democracy**, be able to relate and interact with assemblies and events at other scales, relate to political issues as they arise and thereby also generate media interest.

The recent Citizens' Panels failed to be organised in a fully **transparent** manner. It is unclear how experts were selected, what the details of the methodology in the Panels were as well as how the reporting on the CoFoE's Digital Platform and the Panels was set up. A permanent assembly needs to have clear and transparent rules of procedure, defined well in advance and publicly available. Also, citizens should have a voice in the selection of experts as well as in the drafting of reports.

The lessons of the conference suggest that we need regular, task or project-based citizen assemblies, large to keep the micro focus alive through representation and to allow for a diversity of opinion and membership that represents the diversity of views within the communities they represent; we also want rotations so that we don't create a new group of professional politicians and so that competition between the citizens' assemblies and the parliament is limited. Furthermore, it doesn't need to be hierarchical like the conference, it would depend upon the issue.

As of now, it remains still unclear how the Conference will deal with the recommendations produced by the Citizens Panels. Even more, it remains unsure what the overall result of the Conference will be. A permanently institutionalised assembly mechanism - with a structural core as well as flexible thematic assemblies - would need clear lines of **accountability**, with extensive justifications provided for decisions taken.

The Conference remains unknown to wider Europe, due to a lack of publicity and media attention; hence resonance in the wider European public sphere is highly limited. A deliberative process that is unconnected to wider society is however severely limited in its democratic credentials. A permanent assembly would hence need much greater **visibility** to realise its democratic promise.

The EU's 2021/2 Conference has been a one-off event, with limited impact over time. A citizens' assembly as a **structural feature** of democracy – as a new and complementary democratic channel – would have long-term effects, by for instance importantly contributing to the emergence of a European public sphere and informing citizens on European matters. Clearly, one-off deliberative occasions would not work here; what is needed is prolonged and intense debate over time, and the possibility of (collective) learning from prior debate. Citizens assemblies may perform an innovative function within the overall democratic landscape, allowing highly contested issues to be put on the political agenda, from which politicians normally shy away from due to electoral concerns or an interest in maintaining the status quo.

3. Recommendations for a European Citizens' Assembly

CoFoE has been an unprecedented and innovative event, which has put the bar for European democracy higher than ever before. At the same time, the process has seen many shortcomings. What does seem a highly likely outcome, is giving citizens a more permanent deliberative voice in EU politics. In the current debate on the institutionalisation of a citizens' assembly at the EU level, different institutional propositions are being put forward. The proposals, however, all present citizens' assemblies as an 'add-on' to existing consultation mechanisms, without changing the status quo of existing power relations or of decision-making procedures in any decisive way. The proposals turn participation into a matter of technocratic design, losing out of sight the emancipatory and transformative benefits that citizen deliberation offers. In other words, citizens' assemblies are accommodated in the existing EU participatory toolbox, leaving the top-down nature of EU politics intact, and reducing deliberation to one of the many consultative instruments already available to citizens. CTOE thinks that the technocratic approach does not do justice to the claim for a true Citizens' Europe and hence proposes a different, decisively bottom-up approach to a European Citizens' Assembly. We hence emphasise five dimensions that are absolutely crucial if a

European Citizens' Assembly is to effectively democratise EU politics, create a robust bottom-up channel, and give citizens a voice with real consequence.

First, the process needs to be **citizen-led** in multiple ways. Deliberative democracy tends in many cases to be a top-down process "on invitation only". If a citizens' assembly is to be citizen-driven, it needs to allow a citizens' voice in a wide range of its facets: agenda-setting, monitoring of outcomes, design of the process, invitation of stakeholders and experts, as well as regarding follow-up and tangible policy-making. Across Europe, ordinary citizens should be invited to voice the most pressing and relevant topics concerning the EU and its future. This bottom-up design of the agenda setting process starts with a first phase that should be open to all citizens to voice their most pressing problems. The citizens' assembly will then proceed to set the agenda by identifying the topics of highest relevance to European society. Citizens should have the possibility to suggest Treaty change. The EU institutions will have a role of informing citizens, but should not significantly limit the range of topics. Citizens' assemblies need to stay connected with the broader society and ordinary citizens in all regions and member states. Moreover, over its whole duration it will interact also with the EU institutions. The legitimacy of the EU citizens' assembly thus largely depends on its bottom-up procedures of agenda setting, and its connectedness with the general public as well as with the EU institutions.

Second, great attention should be paid to the **inclusion** of participants in assemblies. A broad, pluralistic, and minority-sensitive **inclusion** is of utmost importance if a European citizens' assembly is to be legitimate and representative. Random selection ought hence to include a broad range of people, not merely formal EU citizens; it could also consider significant inclusion of civil society actors. Participants should be **selected randomly** on the basis of socio-demographic quotas, ensuring a representative cross-section of European society as well as including non-citizen residents. Moreover, different attitudes towards the EU, ranging from very positive to very negative, should be reflected in the sample in order to avoid one-sidedness. There should also be allowance made for the legitimacy of including another "strata" of civil society actors – for instance selecting by lot among a pool drawn from them.

Third, there must be a **binding mandate** from the process, which guarantees citizens that their views will have weight from the start, needs to be part and parcel of the assembly's set-up and made clear from the start. This means that institutions should have an obligation to respond (and not just be "expected" to react or to be allowed to consider how to react "ex post"), the form of reaction should be made transparent from the beginning, and citizens should have a right to react and ask for additional follow-up. Hence, before the start of citizens' assemblies, the EU institutions should commit themselves to an effective follow-up mechanism with respect to the resolutions adopted by the assembly.

Fourth, any citizens' assembly on the EU level needs to prioritise **publicity** and **visibility**, linking the mini-public to the huge European macro-public. The biggest failure of CoFoE has been its invisibility, amongst citizens but also other relevant (public) actors. Visibility can be enhanced by including actors present in society in the deliberative process, that is, a wide range of civil society actors. In this way, assemblies are embedded in what is actually happening in society. Hence, assemblies should involve social movements, civil society, but also other citizens as witnesses or people directly affected by an issue (and hence not just 'experts' on distinct issues). Civil

society's role can be advisory, observatory, but also communicative, mobilizational, and representative (of distinctive causes, groups). For the citizens' assembly to become publicly visible, local, regional, national, and EU institutions should actively generate outreach across Europe aimed at fostering media attention and engagement at all levels. Journalists, regional, and national institutions across the EU are invited to observe the assemblies and should be provided with welcome packets that include information about the structure and workings of the citizens' assembly. A strong digital dimension is also critical for the visibility of the work of the assembly, for raising public trust in the assembly, and for ensuring that the assembly is accessible to the general public.

Fifth, the Assembly instrument must be effectively **funded** including the costs of the secretariat. Citizen members of the panels need to be adequately funded, with travel and subsistence and loss of earnings being paid for. The assembly or assembly panels need attractive incentives for citizens of all age groups and backgrounds that will stimulate them to engage. Such incentives will include moments of enjoyment and sociability, from lunches and dinners, to entertainment and cultural events, such as concerts and performing arts. In fact, culture is key to opening up and nurturing the democratic imagination. The deliberations of and events revolving around the citizens' assembly should be memorable and meaningful, therefore both their digital and social dimensions must be wide-reaching, visible, and attractive. This will require a significant amount of face to face meetings. This may be best held in Strasbourg which is not always busy, but might also need to include possibilities for participants to travel to Southern and Eastern Europe.

4. Legal feasibility and potential obstacles in the EU framework

Article 11 TEU enshrines participatory democracy as a fundamental principle. To fully respect and implement this article, it is crucial that citizens themselves have ownership over the process of initiating citizens' assemblies. Different options are available to achieve this: a reformed European Citizens' Initiative (ECI) process could trigger a citizens' assembly, or a standing committee of randomly selected citizens could initiate a citizens' assembly on pertinent issues, or a citizens' assembly could be permanently meeting and participate fully in the legislative procedure of the EU's decision making. Whatever process is adopted, it needs to be ensured that citizens' assemblies have meaningful and impacting influence over EU policy making.

In *legislative* terms, a citizens' assembly could be envisaged at different stages:

- The EU citizens' assembly could be introduced in to the first or second reading of an EU legislative proposal to approve or suggest amendments;
- The ECA could be part of the conciliation process to resolve legislative deadlock;
- An EU citizens' assembly could be held prior to or at the initiation of the formal legislative process, but this is likely to limit the influence of the ECA.

There are *alternative* ways for the ECA to influence EU policy and laws, other than inclusion in the legislative process:

- An assembly could serve as an advisory body that is part of the already existing consultation procedures of the European Commission.
- The ECA could be an annual event that informs legislative priorities.

In terms of *agenda-setting*, there could be an obligation on the EU institutions to place citizen-informed priorities on the agenda, perhaps the Commission work programme, or consider these priorities in their decision-making.

- The ECA could be reserved for specific, selected topics when they arise; chosen because of their impact, importance or controversial nature.
- A successful ECI could lead to an ECA. This would allow citizens to engage in setting the political agenda and could strengthen the impact of the ECI. This could also include proposals for Treaty change.
- Citizens could be given the right to initiate the legislative process through the assembly. A sharing of the Commission's near-monopoly over legislative initiative with citizens through an ECA would be a significant change.

A comprehensive and more impactful final option is a *fully-institutionalised* Permanent Citizens' Assembly. This would be a new EU institution; changing the power balance of the current 'triangle' by adding a new, citizens-driven institution. This option has considerable democratic legitimisation potential.

As indicated, numerous legal and institutional options are available. CTOE however stresses that the choice for institutionalising an ECA should be grounded in an assessment of the *real impact of citizens' voice*, beyond the currently available forms of citizen consultation. The ECA should be an intrinsic part of the legislative process, rendering approval by an ECA on a specific legislative initiative an obligatory step in EU policy-making. Here clearly lies the biggest challenge: the concerted political effort needed to incorporate a citizens' assembly into EU legislative decision-making; especially if it is to impose an obligation on the EU institutions, beyond a mere 'expectation' to react or a duty to give reasons for the institutional response.

5. Roadmap for the ECA building up

CTOE continues working on a fully fledged blueprint for a meaningful and impactful ECA. In the wake of the 2022 State of the Union Address by President von der Leyen, and in the light of how the ECA is addressed in the speech, CTOE will propose its own vision of a citizen-driven assembly. We call for wide citizen and civil society input into the common development of such an alternative, citizen-centred vision.

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