

Opinion of the European Economic and Social Committee on the 'Reflection period: structure, items and framework for appraisal of the debate on the European Union'

(2006/C 28/08)

On 6 September 2005, the European Parliament decided to consult the European Economic and Social Committee, under Article 262 of the Treaty establishing the European Community, on the *Reflection period: structure, items and framework for appraisal of the debate on the European Union*.

Under Rule 19, paragraph 1 of its Rules of Procedure, the Committee decided to establish a subcommittee to prepare its work on the matter.

The Subcommittee on Reflection: debate on the European Union, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 13 October 2005. The rapporteur was Ms Jillian van Turnhout.

At its 421st plenary session held on 26 and 27 October 2005 (meeting of 26 October), the European Economic and Social Committee adopted the following opinion by 130 votes to 3 with 3 abstentions.

1. The underlying logic and analyses remain the same

1.1 The logic and analyses that led the EESC to adopt, with a very large majority its opinion in favour of the Constitutional Treaty (28 October 2004) have not changed, and nor therefore have the arguments and recommendations developed. Indeed, in the Committee's opinion the vagaries of the ratification process of the Constitutional Treaty confirm the validity of the positions it has taken.

1.2 For example, the referendum results in France and the Netherlands not only demonstrate the failure of the Member States and the European institutions to communicate to the public what Europe is actually about and how it reaches agreements but, they also reveal the gulf separating the public from the European project. It must be said that this gulf is not unique to those countries and is not simply the result of poor communication or the current economic situation, but it does call into question the nature of the agreement itself and thus the way in which it was reached.

1.3 It is worthwhile recalling the 'clear messages' which, in the Committee's October 2004 opinion, it believed should be got across to civil society:

- the use of the instrument of the 'Convention', a 'step forward in the process of democratising the European venture';
- the establishment of a Constitution as a 'revolutionary' step in the history of the European venture;
- the establishment of a more democratic Union which would recognise that the interests of the people are paramount in the building of Europe;
- the establishment of a Union which would afford better protection of the fundamental rights of European citizens;
- the establishment of a Union which would be capable of meeting the aspirations of its citizens by virtue of the Community method and Community policies.

1.4 Despite a series of shortcomings in the Constitutional Treaty which the Committee also highlighted, it argued strongly for European civil society to be rallied behind the achievements of the Constitutional Treaty in order to overcome these shortcomings.

1.5 Those identified by the Committee included the following:

- the lack of adequate operational provisions for implementing the principle of participatory democracy;
- the absence of provisions acknowledging the role played by organised civil society in implementing the subsidiarity principle;
- the weakness of EU governance as regards economic and employment policy and the absence of rules providing for consultation of the European Parliament and the EESC in these areas, which concern civil society players most of all.

1.6 In the Committee's opinion, all of these observations remain pertinent and valid. In its October 2004 opinion, the Committee argued strongly not only in favour of the ratification of the Constitutional Treaty, but also that EU citizens needed to be made aware of the democratic progress achieved by the draft Constitution and of its advantages.

1.7 The debates which took place around the ratification process demonstrated yet again that one of the major challenges facing the European Union is the question of how to preserve and guarantee growth, jobs and prosperity for the current and future generations. As the latest Eurobarometer survey (Eurobarometer 63, September 2005) shows, this question is at the heart of European citizens' concerns.

1.8 A vital element in the response to that challenge is to be found in the objectives set out in the Lisbon Strategy, as identified by the Heads of State or Government in 2000, a Strategy which offers a concrete vision of the future of European society.

1.9 It is necessary to recognise however that, despite five years of intense debates and activities at European level, the results so far have been disappointing and the implementation of the Strategy has been found wanting.

1.10 'Alongside undeniable progress, there are shortcomings and obvious delays' reported the European Council in March 2005. There may be many reasons for these shortcomings and the delay, but most would agree on the following two observations:

- the Strategy is too abstract. There are no visible consequences for people and businesses. Public opinion does not make a distinction between the effects of globalisation, EU policy and national policy on their living and working conditions;
- the Strategy remains a top-down process. There has been too little involvement on the part of organised civil society. In some Member States the Strategy is more or less unknown to many of the concerned stakeholders. No genuine consultation seems to have taken place, not least within the open method of coordination for research and education.

1.11 Thus the March 2005 European Council notably underlined the need for civil society to appropriate and participate actively in achieving the aims of the Lisbon Strategy.

1.12 It is particularly clear in this context that the future of the European model of society, including its social model, which is a fundamental part of the collective identity of European citizens and with which they strongly identify, will depend on the realisation of the Lisbon Strategy's objectives. Thus, the challenge is not so much about the future of the Constitutional Treaty, important though it is, but about creating the conditions which will enable European citizens to reappropriate the European project on the basis of a global shared vision about the sort of society they desire.

1.13 That is why, in its October 2004 Opinion, the Committee also established a link between the Constitutional Treaty and the Lisbon Strategy, arguing that:

'The Lisbon Strategy should be introduced into the debate since it maps out a vision of the future for all citizens of the EU marked by: competitiveness, full employment, shared knowledge; investment in human resources; and growth, whilst preserving the living environment and the quality of life through sustainable development ...'

2. Getting back on the tracks — a shared vision through participatory democracy

2.1 To master the challenges facing the European Union, the European integration process must be 're-legitimised', based on a new conception of democratic action which bestows a determining role on civil society and its representative institutions.

2.2 To that end, the participation of civil society in the public decision-making process is an essential instrument in reinforcing the democratic legitimacy of the European institutions and European action. It is an even more essential element in encouraging the emergence of a shared view about the purpose and the direction of 'Europe' and thus a new consensus, on the basis of which it should be possible to pursue the European integration process and to define and implement a project for the Europe of tomorrow which will respond more fully to the expectations of its citizens.

2.3 The European Union's institutions and the Member State governments must encourage a genuine subsidiarity culture that embraces not only the different levels of authority but also the different component elements of society, in such a way as to demonstrate to the European citizen that the EU will act only where there is clear added value and in respect of the principle of better lawmaking.

2.4 According to the latest Eurobarometer findings, 53 per cent of those questioned believed their voice didn't count in the European Union. Only 38 per cent believed the opposite.

2.5 Such findings demonstrate the need to build and to use tools which will enable European citizens to be genuinely involved in the exercise of defining a project for the enlarged Europe, a project which should be equipped with true content and which will encourage them to support and identify with the European integration process.

2.6 In this context it should be emphasised that the democratic legitimacy of the European Union reposes not only on a clear definition of the powers and responsibilities of its institutions. It also implies that:

- those institutions enjoy public confidence and can rely on a strong commitment by citizens in favour of the European project,
- the active participation of citizens in the democratic life of the European Union is fully guaranteed and
- specific features of European citizenship, which are more than the mere sum of national citizenships, are sought ⁽¹⁾.

2.7 In the Committee's opinion, the currently suspended, or delayed, ratification process on the Constitutional Treaty contains an essential irony: the absence of the Constitution, and in particular the absence of the provisions in Title VI on the democratic life of the European Union, further underlines the need for the Constitution. A fundamental challenge facing the Union is therefore how to get that basic message across.

2.8 In the Committee's opinion, the logic behind the Constitution's provisions for participatory democracy and civil dialogue remains entirely valid. The European institutions must therefore invest fully in the logic of the Constitution Treaty and establish an authentic participatory democracy.

⁽¹⁾ EESC Opinion SOC/203 'Active citizenship action programme'.

2.9 The need to enhance participation is all the more urgent given that, notwithstanding everything that has occurred in the recent past, the European Union's citizens expect much of it. The same Eurobarometer survey, cited previously, indicated that some 60 per cent of European Union citizens favour increased integration within the Union (various other opinion polls produce similar findings). The results also indicate that, in the face of urgent challenges such as the fights against unemployment, poverty and social exclusion, Europe's citizens would like to see the Union's role reinforced.

2.10 Already, in October 2004, the Committee argued that, in order to overcome the Treaty's shortcomings and also in order to ensure its ratification through the rallying of civil society, a number of measures could be taken to build on the proposed institutional framework and improve it through operational measures. In particular, the Committee argued that:

- the provisions on participatory democracy should be made the subject of a series of communications defining the consultation procedures and the role of the EESC;
- civil society should be consulted on the content of the European law defining the procedures for implementing the right of citizens' initiative. The EESC could be asked to deliver an exploratory opinion on this subject;
- the principle of participatory democracy should be applied to the EU's key strategies for promoting growth, employment and sustainable development.

2.11 In this way the Committee has sought to convince EU governments and institutions of the vital need to rally civil society and civil society organisations behind the spirit, as much as the letter, of the Constitution.

2.12 The Committee notes that the 'broad debate' envisaged by the Heads of State or Government in their June declaration is not currently occurring. The Committee feels that such a broad debate should be relaunched as soon as possible. However, the Committee also feels that such a debate would be counter-productive unless public opinion is somehow reassured about the nature of the European integration process and, in particular, about the democratic aspects of that process.

2.13 The reflection period decided upon by the Heads of State or Government of the Member States in June should naturally be used to consider ways of overcoming the political and institutional situation which has resulted from the referendum results in France and the Netherlands.

2.14 But in the Committee's opinion the reflection period should above all be exploited to help establish the foundations of a popular shared vision about the future of Europe and of a new social contract between Europe and its citizens, of a new consensus which would also establish the framework within which the policies necessary to guarantee growth, employment and prosperity can be placed. In this context, Member State governments should 'take home the EU'.

2.15 It is vital to demonstrate that 'participatory democracy' and 'civil dialogue' are not empty slogans but, rather, essential

principles on which the success of the European Union's policies and therefore of its future depend.

2.16 It is therefore indispensable to involve civil society as broadly as possible, at national, regional and local level, in all future debates and discussions, to encourage the Union's citizens to express their concrete expectations and, in order to do this, to put in place a genuine strategy of listening and of dialogue about the Union's policies and about the vision they have of their shared future.

2.17 In this context the Committee will closely examine the European Commission's 'Plan D', all the more so because it is convinced that, to date, no real debate has taken place and that the method, timetable and resources planned for stimulating the debate — not only in all the accession countries but also at intra-Community level — will be crucial. The EESC welcomes the views repeatedly expressed by European Commission Vice-President Margot Wallström that communication is a two-way process and that 'Europe' must listen more. In the Committee's understanding, 'listening' does not necessarily mean 'following', but it does mean 'involving' and it should mean 'understanding'.

3. 'Communicating Europe'

3.1 More generally, the Committee has welcomed the emerging understanding that the European Union should equip itself with a genuine communication strategy and that it should overhaul and enhance its communication tools. The Committee welcomed the European Parliament's 26 April 2005 report on the implementation of the European Union's information and communication strategy, and welcomed the European Commission's 20 July 2005 adoption of an action plan to improve communicating Europe by the European Commission.

3.2 The Committee has itself adopted and regularly revised a strategic communication plan. In addition, in December 2004 the Committee's Bureau approved an overall strategic approach to the challenge of 'Communicating Europe'. In both contexts the Committee has sought to enhance the bridging function of its members and of the organisations they represent. The Committee was a committed participant in the 2004 so-called 'Wicklow initiative', notably tabling a strategic document, 'Bridging the Gap', at the Amsterdam informal ministerial meeting on how organised civil society in general and the Committee in particular should be more fully involved in the communication process.

3.3 The Committee welcomed the November 2004 European Council's request to the European Commission to elaborate a coherent communication strategy for the Union. The Committee, in close cooperation with the European Commission, is organising a stakeholders' forum on the communications challenge designed to enable civil society organisations to feed their views into the reflection process currently under way and which the European Commission may also consider when drafting its expected consultative White Paper on the communications challenge.

3.4 The Committee, which organised a similar stakeholders' forum to address the policy issue of sustainable development in April 2005, is ready and willing to organise similar such consultative and listening exercises on major policy issues, thus enhancing organised civil society's voice and helping 'Brussels' better to listen.

3.5 In this context, the Committee emphasises the central role it hopes the European Parliament will continue to play as the first, and most vital, element in the democratic bridging exercise. The Committee is ready to act as a partner of the European Parliament, as it did during the Convention process, organising hearings and forums of its own initiative or on those issues where the Parliament wishes particularly to consult with organised civil society.

3.6 Such considerations lead the Committee to emphasise two fundamental considerations. First, whilst the Committee welcomes the increasing emphasis on communications strategies and communications tools, it should be recalled that any communications approach can only be as good as the content of the message it contains. Thus, communication is a complementary mechanism and not an end in itself. Second, whilst the Committee is fully committed to the twin processes of establishing a European-level communication strategy and enhancing communication tools, Union-level activity must be seen as complementary to the communications processes taking place within the Member States. Thus, such a European-level strategy is vitally necessary but it is far from sufficient.

3.7 In this context, the role of representative and consultative institutions at Member State level — national parliaments and national economic and social councils notably among them — as well as at regional and local level should be stressed.

4. Recommendations

Start making participatory democracy a reality now!

4.1 The reasons and the logic which led the Committee to vote in favour of the Constitutional Treaty by such a large majority — particularly its provisions on the democratic life of the Union — remain the same. The Committee continues to believe firmly that the best way to guarantee the Union's democratic life is to anchor such provisions in a fixed constitutional settlement. However, the current period of uncertainty should not prevent all of the European Union's actors from taking measures as of now to start making participatory democracy a reality. All of the Union's institutions should therefore reflect actively on how they can:

- give citizens and representative associations the opportunity to make known and publicly exchange their views in all areas of Union action;
- maintain an open, transparent and regular dialogue with representative associations and civil society;

- carry out broad consultations with parties concerned in order to ensure that the Union's actions are coherent and transparent.

In addition, the European Commission should consider anticipating the provisions of Article I-47 (4) of the Constitutional Treaty by consulting civil society on the content of the European law defining the procedures for implementing the right of citizens' initiative (the EESC could be asked to deliver an exploratory opinion on this subject).

4.2 For its part, the European Economic and Social Committee reasserts its determination to play an important, if complementary, role in enhancing civil dialogue not only through traditional consultative mechanisms but also through its bridging function between Europe and organised civil society. The Committee draws attention in this context to the need for fresh thinking about ways of interacting with organised civil society. The Committee is ready, willing and able to act as a full partner in all activities designed to enhance civil dialogue.

Capture public imagination and deliver on the Lisbon Strategy!

4.3 European economic conditions are a key factor in determining public attitudes towards the European integration process. The European Economic and Social Committee reaffirms its support for the Lisbon Strategy but insists that the Union and its member states must be seen to be delivering on their commitments. The Committee is convinced that the Lisbon Strategy is the best possible guarantee of the Union's future economic prosperity and social, environmental and cultural well-being, yet it has singularly failed to capture the public imagination in the way that, for example, the '1992' campaign to create the Single Market managed to do. The Member States must accept and honour their responsibilities in this context. The Strategy must be rendered less abstract and its aims (if not its title) introduced into domestic political parlance. Civil society and civil society organisations must be involved

4.4 For its part, the European Economic and Social Committee will continue to work under the mandate granted it by the 22-23 March European Council, 'to set up with Member States' economic and social committees and other partner organisations an interactive network of civil society initiatives aimed at promoting the implementation of the strategy'. (Doc. 7619/1/05/ rev. 1 Council, paragraph 9).

Bridge the gap — enhance communication

4.5 The Committee has consistently argued the need for enhanced communication between the European Union and the citizens on whose behalf it purports to work. The Committee recognises that a lot of work has recently taken place at the level of the EU's institutions, both individually and collectively; to cite but two recent examples, the complete restructuring of the European Parliament's website and the

European Commission's Europe Direct service. The Committee favours close inter-institutional cooperation in the field of communication. It notes the Commission's 'Plan D' and also its intention of launching a White Paper in the near future. It is fully committed to playing a supporting role wherever it can in bridging the gap, as evidenced by its 7-8 November stakeholders' forum on that theme.

4.6 However, the Committee believes that communication can only be as good as the message it contains. Referring back to its views on the Lisbon Strategy, it believes that the European institutions but, above all, the member states, need to reflect further on how they communicate Europe. Much has already been said about halting the 'blame game', but it is clear that 'Europe' is too often perceived as negative or defensive, and that insufficient effort is made to 'sell' the positive aspects of the integration process.

4.7 In the context of enhancing coordination, the Committee calls for the so-called 'Wicklow initiative' (informal meetings of European affairs ministers) to be re-activated, but to be given a specific and permanent mandate to examine ways in which Europe can be better communicated and to provide member states with an informal context in which to take stock of public opinion and to exchange best practices. At the inter-institutional level, the Committee calls for the Inter-Institutional Group to be similarly mandated to meet at more regular and more frequent intervals to discuss communication issues. Such mechanisms are particularly important given the rapid rate of technological development (for example, mobile phones, broad band) and the rapid development of new communication techniques to exploit these.

4.8 The Committee underlines its belief that communication must be a permanent concern and not the subject of an occasional campaign on a specific issue.

Recognise where the primary responsibility lies

4.9 The European Union's institutions must guard against a false, if clearly well-intentioned, belief that the current 'disconnect' can be solved from the central level of 'Brussels'. In reality, what the European institutions do in the field of communications can only be complementary. The main responsibility lies elsewhere. The outcome of the elections to the European Parliament and the results of the French and

Dutch referendums on the Constitutional Treaty show clearly that many European citizens view Europe sceptically. This regards above all the effects of European legislation on their living and working conditions. It is down to the Member States to explain to their citizens the meaning of the EU and the necessity of specific European legislation and to communicate the resulting effects to each respective national sphere.

4.10 Public opinion, including civil society, will be convinced of the legitimacy and the common future of the European Union only if there is perceived credibility, trust, a transparent legislative process and a well-functioning rule of law. In the first instance, these have to be safeguarded by the governments of the member states. Governments have to act as real co-owners of the Union and abstain from the 'we-they' model and the constant double talk that this model involves.

4.11 As the role of the Irish National Forum on Europe demonstrated, civil society organisations can sometimes make decisive contributions. It is essential to enhance communication at a relevant level (local, professional, etc.) and to explain the success stories of the European policy or legislative process in relevant and accessible terms at that level. Civil society organisations are well placed to do this. The EESC is thus determined to help and encourage civil society organisations within the Member States, particularly through the bridging function of its members. Moreover, if a wide debate about the European project and about European policies is indeed to be launched, then it must begin at the lower levels of civil society within the member states. A Europe-wide forum will only make sense if it allows for the expression of these views reported back up and also down. Indeed, what is needed is not so much a top-down or a bottom-up approach, but a bottom-down approach.

4.12 This opinion has deliberately eschewed much discussion about the future of the Constitutional Treaty and the options open to the European Union. Clearly, a permanent return to the status quo ante of the Nice Treaty cannot be an option. But perhaps the broad debate envisaged by the Heads of State or Government could help illumine the best way forward. However, the Committee notes with some alarm that such broad debate is largely absent in most of the Member States. In the absence of such debate, it is difficult to see how genuine progress can be made.

Brussels, 26 October 2005

The President
of the European Economic and Social Committee
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