E-Participation in the EU: How Can Internet-Based Participation Tools Contribute to Public Deliberation

BY
Ludovica Formicola

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Supervisor: Lorenzo Pupillo
Reviewer: Igor Tkalec

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Acknowledgements

Abstract

The Digital Age is profoundly influencing European societies and challenging political institutions. Information and communication technologies (ICT) have changed the way data and ideas are exchanged worldwide. In this global context, the European Union (EU) wishes to assert itself as a pioneer in the field of e-democracy. The European Citizens' Initiative and the Conference on the Future of Europe are deliberative democracy exercises first of their kind. However, the ever-growing popularity of social media for political communication is putting the effectiveness of Internet-based participation tools under question. E-participation tools were criticised for failing in representativeness, inclusivity, and long term impact. Nonetheless, through adequate monitoring, ongoing engagement, dedicated investments, and timely follow-up, it can be the future of public deliberation.

This dissertation provides a comprehensive analysis of the current and future use of ICT to support the democratic decision-making processes in the EU. While upholding the legal basis for participative democracy laid down in EU norms, the purpose of the research is to address current challenges by e-participation tools. The proposals for improvement and policy development described in the concluding chapters ultimately aim to enhance civic engagement in the European public sphere.

Technology is in constant evolution, and so is democracy.

Introduction

"E-participation" is a subset of "e-democracy", defined as the use of information and communication technologies (ICT) to support the democratic decision-making processes (Macintosh, 2004), and "e-government", which is the use of ICT in the provision of public services (UN; 2014). The United Nations (UN) describe e-participation as "the process of engaging citizens through ICTs in policy, decision-making, and services design and delivery so as to make it participatory, inclusive and deliberative" (UN, 2014).

The origin of Internet-based participation tools dates back to the 1990s. During that decade, many authors contributed to e-democracy literature, encouraging national governments to welcome cyber-democracy to improve the quality and cut the costs of government services. The expert community recognised that the growth of the cyberspace would become an inherent feature of the 21st century and that telecommunications will become deeply linked to political power. E-services, e-administration, and e-democracy projects started developing simultaneously, paving the way for the digitalisation of the public sphere.

Enhancing citizen participation and improving transparency of decision-making processes soon became a priority for the European Union (EU), encouraging the development of e-governance plans across its Member States. Jan Van Dijk was one of the first scholars to research the potential of ICT, especially in regard to civic engagement. His analysis of the main benefits of implementing democratic practices based on ICT was highly relevant for developing the EU's core values in the field of e-democracy. Thanks to his contributions, the EU elaborated a threefold structure for categorising e-participation tools, according to the main functions for citizens' involvement: monitoring, agenda-setting, and decision-making. The EU institutions built their commitment to e-democracy on a series of objectives, such as enhancing participation and active citizenship, engaging young people in policy-making, promoting innovative ideas and increasing political trust and legitimacy (Lironi, 2016).

The Treaty on the European Union (TEU), the Treaty on the Functioning of the European Union (TFEU), and the EU Charter of Fundamental Rights (ChFR) establish

the legal basis for participatory democracy in the EU. The implementation of the e-Europe Action Plan (2002-2005), Plan-D (Democracy, Dialogue, Debate), the Digital Agenda for Europe, the European Citizens' Initiative, the e-Government Action Plan (2016-2020), the European Youth Strategy (2019-2027), Your Voice in Europe, and Futurium, are essential expressions of the EU's commitment to e-government and e-democracy. However, the EU's e-democracy framework is still far from perfect and needs to adapt to emerging challenges promptly. Tackling the costs and risks of innovation, over-and under-regulation of new technologies, social exclusion, and privacy threats are some of the most pressing topics.

The debt crisis of the Eurozone sparked a new wave of Euroscepticism that highlighted the Union's main weaknesses. The European Election Studies (EES) surveys of 2008 and 2009 highlighted that the global financial crisis had the most resounding impacts on EU attitudes. In the last decade, the EU realised that the growing mistrust in its institutions had significantly undermined its governmental credibility (van Elsas et al., pp. 1188-1194, 2016). Moreover, the most recent literature is rather pessimistic on the use of digital tools in democratic processes. Political communication via social media has deeply influenced the way citizens interact with politicians and EU officials, often causing the polarisation of public debates over the Internet. In fact, social media contribute to the involvement of underrepresented opinions and are also highly responsible for spreading misinformation and manipulation of public discourse. Hence, a structured and purposeful digital transition in the public sector through the integration of e-democracy and e-participation tools is an attractive alternative.

Today, the studies run by the OECD in the field of civic engagement suggest that the citizens who can influence their government to a greater extent are also more satisfied with democracy and political institutions within their country. The conclusions indicate that investing in a combination of citizen participation instruments is vital to achieve ongoing civic engagement and strengthen participatory democracy. The study by Ju-Choel Choi and Changsoo Song, conducted in South Korea and published in 2020, is exceptionally relevant to identifying the factors fostering or restricting citizens' involvement in e-participation initiatives. By considering the evidence provided by recent studies, the Union's institutions must develop new strategies to ensure ongoing civic engagement and narrow the gap between citizens and decision-makers.

The European Citizens' Initiative (ECI) and the Conference on the Future of Europe are two of the most promising e-participation tools at the EU level. The ECI was recently reformed to ensure greater flexibility in the registration procedure and signature collection. The ECI became more flexible and made an effort to adapt to the impacts of the Covid-19 pandemic. In 2021, the Conference on the Future of Europe was launched despite some initial delays and scepticism. The aim is to bring the EU closer to its citizens and foster transnational debates on cross-cutting issues affecting Europe's future. However, many questions still remain unanswered. Will the Conference's multilingual digital platform and citizens' initiatives be able to engage people who are distant from civic participation? Will the citizens' contributions accurately represent the will of all EU citizens? Will these recent improvements and innovations open the new age of e-democracy?

Chapters 1 to 5 aim at providing a comprehensive analysis of the current shortfalls and opportunities in the field of e-participation at the EU level. Despite the novelty of the changes introduced by the 2018 ECI Regulation and the unprecedented participatory mechanisms developed by the Conference on the Future of Europe, the purpose of this dissertation is to set out concrete and feasible proposals for the development of e-democracy. The recommendations reported in chapter 5 aim at boosting the effectiveness of the two most promising e-participation tools currently in place, to produce positive measurable impacts on civic engagement in the European public sphere.

Chapter 1: Defining the Key Concepts

The 2020s are characterised by the ongoing digitalisation of services and the ever-growing use of ICT for engagement between citizens, public administration, civil society and businesses. The Internet has made the sharing and storing of information instantaneous and worldwide communication inexpensive. In the Digital Age, social, economic and political activities are dependent on ICT. The growth of the cyberspace opens up new solutions to the challenges of our time.

Electronic government (e-government) and electronic participation (e-participation) represent integral parts of national and supranational digitalisation plans across the globe. In this context, electronic democracy (e-democracy) has provoked much theoretical debate. Chapter 1 extensively describes e-democracy as a concept, starting from the 1970s up to its most recent evolutions. Section 1.2 aims at describing the current trends for civic engagement in the public sphere, based on the surveys carried out by the EU and the OECD. The study conducted in South Korea by Ju-Choel Choi and Changsoo Song, addressed in section 1.3, will be particularly relevant to develop forward-looking suggestions on how to best incentivise civic engagement through e-participation in chapter 5. The final section provides an overview of the contributions of Jan Van Dijk and David Le Blanc in shaping the EU's definition of e-participation according to three dimensions for citizens' involvement: monitoring, agenda-setting, and decision-making.

The concepts described in this chapter will serve as a knowledge base to envision the role of e-participation in creating a new European public sphere and enhancing democratic processes.

1.1 The Origin of E-Democracy

The idea of using the Internet for participatory democracy dates back to the 1990s. In that decade, the potential of Information and Communication Technologies (ICT) began to be particularly appealing to foster civic engagement and achieve greater public participation in political processes. The idea of introducing cyber-democracy as a new polity was based on the will of governments to improve the quality and decrease the cost of public services. The Clinton Administration developed the first plans of electronic government and electronic democracy, whose aim was reinventing government for the 21st Century (National Performance Review, 1993). In 1996 John Perry Barlow conceptualised the link between the cyberspace and its "citizens", which irreversibly led to a new age of civic engagement. The contribution of authors including Howard Reingold, Alvin Toffler, and Esther Dyson initiated worldwide discussions on the role of telecommunication in democracy. A general agreement among schools of thought suggested that telecommunications provide a means of influencing other people's thoughts and perceptions, making them deeply connected to political power. A second undeniable aspect was that wealth in its physical form is relentlessly losing value and significance in technology economics. The development of the cyberspace is an ongoing and unstoppable process, which provides ever-more opportunities for the digitalisation of services through the storage of unlimited amounts of data.

Electronic governance (e-governance) uses information and communication technology (ICT) to make democratic processes, public services, and government administration accessible on the Internet. Its scope is to create closer relationships and better interactions among citizens, civil society, the private sector, and the State. One of the main objectives of e-governance is citizens' engagement in democratic decision-making processes, referred to as "e-democracy" (Macintosch, 2004; Lironi, 2016). E-governance is based on democratic values and practices and concerns the same actors as e-democracy. Concepts and policies in these two fields are most often aligned, reinforcing the strong correlation between the two. E-democracy, together with e-services and e-administration, are to be considered e-governance themes. Among the three, e-democracy as a tool to improve the functioning of democratic societies has been the most recent sub-category of e-governance to be tackled by policy-makers. Already in 2004, the Council

of Europe adopted a recommendation on e-governance (Rec(2004)15), which identified the links between the two terms. The recommendation saw in ICT an opportunity to strengthen citizen participation and ensure the transparency and responsiveness of democratic institutions. The Council of Europe underlined how "implementing e-democracy can offer new opportunities for citizens to obtain information from public authorities, express their views, debate issues of public importance and influence decision-making" (Council of Europe, pp.22, 2004). The EU Member States played a central role in developing e-governance strategies, including e-democracy initiatives for citizens participation at the local and national levels for decision-making.

The new era of politics initiated by the emergence of the cyberspace in the 2020s is driven by political liberalism, freedom of information, ecological concerns, and operating beyond state boundaries (Barbrook and Cameron, 1996). Information is produced, shared and accessed anywhere thanks to the World Wide Web. It being a de-territorialised and non-hierarchical space, the Internet represents an inexpensive, instantaneous and user-friendly communication medium (Vedel, 2006). In such a vision, the cyberspace is an essential tool to find new solutions to the challenges faced by democracy in the 21st Century. Now that knowledge has become a common good, the States no longer detain a centralised power, as the emergence of e-democracy builds upon the constant exchange of ideas and citizens' ability to self-organise, connect, and communicate, bypassing the need for intermediaries (Dyson et al., 1994).

The democratic potential offered by ICT was theorised by Jan van Dijk in 2006, suggesting that "ICT can be used to displace politics onto society by means of participation, pluralism and direct citizen power, abandoning the attempts to save the present political system attached to the nation-state in crisis and removing the political primacy […] to associations and individuals of civil society." By referring to ICT as "technology of freedom", van Dijk recognises the traditional ways of political decision-making will inevitably be replaced by new digital alternatives.

A vital premise to fully understand the aim of this analysis is that the following chapters consider ICT to foster and enhance participatory democracy. The latter is a hybrid of direct (where people decide upon policy initiatives through a system of councils and referenda) and representative democracy (based on the election of individuals representing a group). Participatory democracy is similar to pluralist democracy, where

the attention is called to the role of the intermediary organisations and associations of civil society. However, the participatory model is based on democratic perspectives that focus on the substantive qualities and resources of democracy than the pluralist model. The primary distinction is the change in focus from organisations to citizens. As proposed by Jean Jacques Rousseau, the fundamental goal of the participatory democracy approach is to foster citizenship. Rousseau's concept of the people's will is founded on the growth of citizenship via communal discussion and education rather than evaluating individual citizens' beliefs (Pateman, 1970). The ultimate objective of this concept, which stems from the Enlightenment, is to educate citizens as active members of society. The people's will, according to Rousseau, was not a sum of individual wills but rather a form of wholeness that revealed the people's collective sovereignty. In public gatherings and legislative assemblies, this wholeness had to be created. The major criticism towards participatory democracy in contemporary history concerns its expression in the council or Soviet model of democracy that, interpreting the Marxist tradition, often turned this totality into tyranny (Cunningham, 2019).

A necessary step to successfully implement this model of democracy is educating the population to be informed and active citizens. In the 1970s, Carole Pateman and C.B. Macpherson, two of the most prominent supporters of participatory democracy, suggest that the centres of political power shall be more accessible to citizens. While the plebiscitary and competitive democracy models are open to the central manipulation of political power, participatory democracy envisions the collective formation of opinions and political views through discussion and education.

In this context, the role of ICT is most effective when used to activate and inform the citizenry. Extensively exploiting the advantages of information campaigns and mass public information systems can narrow the "information gap" among citizens. In this view, fostering ICT development is essential to achieve transparency of political processes to benefit the whole population. In support of this view, Thierry Vedel suggests that e-democracy projects must be developed according to three axes: information, discussion, and online decision-making and participation. First, citizens must be able to instantly retrieve the vastest possible amount of politically relevant content, such as news, data, legal documents and opinions. Second, in upholding freedom of expression, a greater sense of community and collective identity shall be created by establishing online

public forums and discussion newsgroups. Third, the establishment of focus groups, surveys and opinion polling, and online consultations shall be used to involve citizens actively. Introducing electronic voting (e-voting) and experimenting with public referenda can also be considered part of this axis. These two e-democracy tools have attracted much interest in recent years, either due to their potential in fostering direct democracy or limitations linked to the digital divide.

Undoubtedly there are obstacles to the realisation of e-democracy. An example is that adequate legislation on information access still lacks in many countries. Furthermore, users tend not to engage in online discussions (via horizontal communication) regularly but rather express themselves in interactive monologues (via vertical communication), which undermines the value of non-hierarchical ideas exchange (Vedel, 2006). Indeed, electronic tools for discussion can prove helpful to promote public debate on policies and programmes. However, virtual communities and public networks tend to be overpopulated by upper-class males with higher education, and the quality of discussion is relatively low (van Dijk, 2006). The specific features of new media that lead to this conclusion will be addressed in chapter 2.

A final pre-condition to welcome the potential of e-democracy is to debunk a myth, which is the first argument against participatory democracy and the implementation of digital tools to serve public debate. Representative democracy was not introduced due to the inability of including all citizens in the decision-making process, as exemplified by the direct democracy of the Athenian Agora. In other words, it was not implemented to solve the issue of numbers. The representative model is an integral part of the ruling bourgeoisie's elitist notion of democracy, according to which most voters are competent enough to elect governing officials but not to debate on public matters (Manin, 1997).

1.2 Trends in the European Public Sphere

For over a decade, surveys conducted by international organisations have highlighted the will of European citizens to be more involved in political decision-making, especially by their local and national governments (European Value Studies, 2008). The level of perception of citizen involvement is commonly referred to as "external political efficacy", describing an individual's belief of having a say in government decisions. The majority of respondents to surveys measuring external political efficacy do not think that their national political system allows citizens to have a say in the government's actions (European Social Survey, 2014). In 2016 only 37% of the respondents interviewed in 23 OECD countries (primarily European) believed that people's opinions were taken into account by their government. Positively striking was the 74% of positive responses registered in Switzerland, against the 10% collected in Italy, indicating a deep struggle with direct democracy (OECD, 2016). According to the OECD, a general conclusion is that the citizens who can influence their government to a greater extent are also more satisfied with democracy and declare to trust their representatives within political institutions. Nordic countries (notably, Finland, Norway and Sweden) are the ones that register the highest perception of political efficacy, while the southern and eastern European countries (including Portugal, Italy, Slovenia, Lithuania and Poland) report the lowest levels. The EU strove for improvements in democracy ever since 1979, when the first direct parliamentary elections took place. In the following years, the competencies of the European Parliament were broadened, and its legislative powers increased. The launch of the European Citizens' Initiative (ECI) was a further step towards enhanced citizens' involvement.

In 2021, there is substantial support for EU citizens having a greater say in choices affecting Europe's future and agreement that more work needs to be done to enhance and safeguard democracy. The opinions of European citizens that were collected in preparation for the Conference on the Future of Europe in the dedicated Special Eurobarometer Report 500 brought forward interesting perspectives on the future development of e-participation. An average of 9 out of 10 Europeans (92%) think that EU citizens' voices should be heard more in decisions on Europe's future (+5% since the

summer of 2020). Around nine out of ten respondents (89%) believe that more work needs to be done to enhance democracy in the EU, and the same percentage (89%) believe that more work needs to be done to safeguard democracy in the EU (Eurobarometer, 2021). The survey also touched upon what topics should be prioritised and to what level online participation platforms should be implemented (either in a local, national or international dimension). Respondents are more likely to believe that a problem should be addressed solely or primarily at the EU level in the majority of policy areas rather than nationally. This applies to combating terrorism, the environment and climate change, and migration and refugees (31% vs. 11%).On the other hand, some policy areas are preferred to be addressed only or primarily at the national level, such as taxation (41% vs. 16%), education and training (30% vs. 17%), employment and social protection (30% vs. 19%), and health (31% vs. 19%).

The survey also measured the residents perceived level of the external political efficacy of different forms of democratic participation. Voting in elections is seen as the best way of ensuring citizens' voices are heard by decision-makers at the national level (according to 67%). Taking part in citizens' debates and assemblies were chosen as the best option by 22% of respondents, while taking part in debates on the Internet or through online social networks was selected by only 12% (Eurobarometer, 2021).

Figure 1: % of respondents selecting the forms of participation they consider the best to ensure citizens' voice is heard by decision-makers at the EU level? (Max. 3 answers) (% - EU)
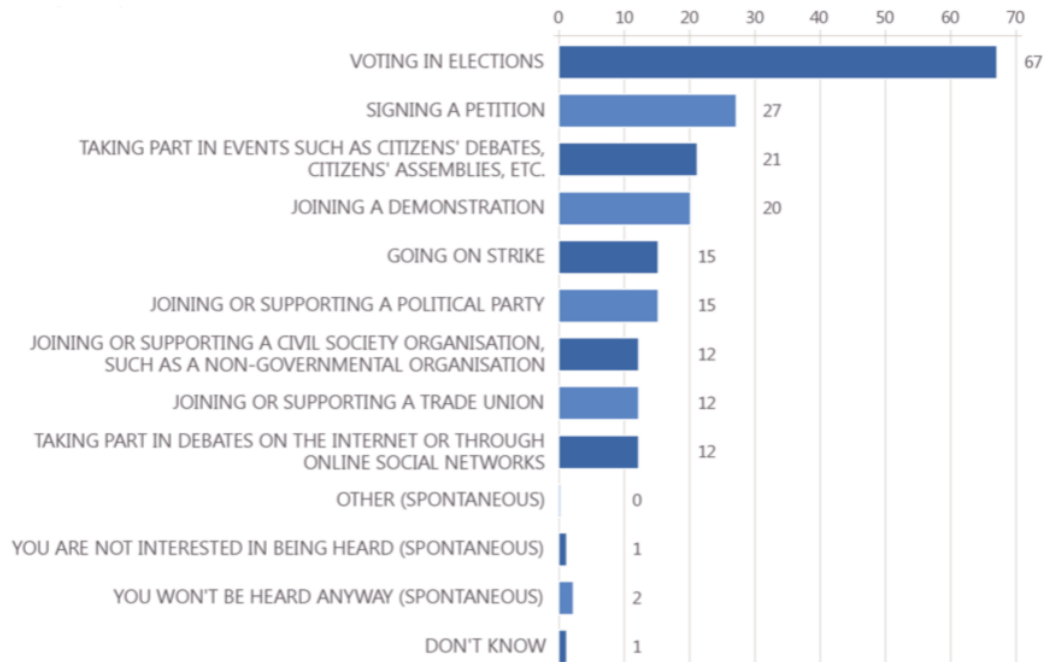
Figure 1, retrieved from: Kantar. *Special Eurobarometer 500 Report: Future of Europe*. European Union, 2021.

A final necessary remark on the data reported above concerns the relevance of all of these forms of participation. Without any doubt, some instruments have a more direct and measurable impact on decision-making processes at the local, national and international levels. However, this does not imply that some participation tools can be overlooked, and their value shall not be underestimated. Employing ICTs to improve the civic participation instruments can only make democratic participation more accessible, intuitive, effective and engaging.

1.3 The Driving Factors for Citizens' Engagement in Public Policy Debate

The study by Ju-Choel Choi and Changsoo Song, published in 2020, is particularly relevant to understand why citizens engage or not in e-participation initiatives. Through a cross-sectional e-participation survey data collected in Seoul, South Korea, the authors identified the "factors explaining why some citizens engage in e-participation, while others do not". South Korea is considered a headliner in the successful implementation of e-participation practices and has developed one of the most advanced e-participation and e-government systems to date. This feature makes this country a particularly interesting example of best practices for European countries. As a matter of fact, South Korea was at the top of the United Nations 2018 leaderboard in e-participation (UN, 2018).

Choi and Song developed nine hypotheses drawn from individual social capital factors, understood as civic norms, trust and interactions in social networks (Coleman, 1987). In other words, community commitment, community ownership and trust in government were the main variables to be taken into account. Other indicators that concurred to determining the likelihood of e-participation use were technology acceptance model indicators, including the perceived usefulness of such instruments, their perceived ease of use, and the individual's attitude towards e-participation. Based on the theory of planned behaviour, the authors determined that factors such as one's attitude towards e-participation, subjective norm (i.e. personal values), and perceived behavioural control (i.e. the perceived ease or difficulty in performing a specific behaviour) could also turn out to be significant.

Figure 2: Choi and Song's research model for citizens' e-participation.
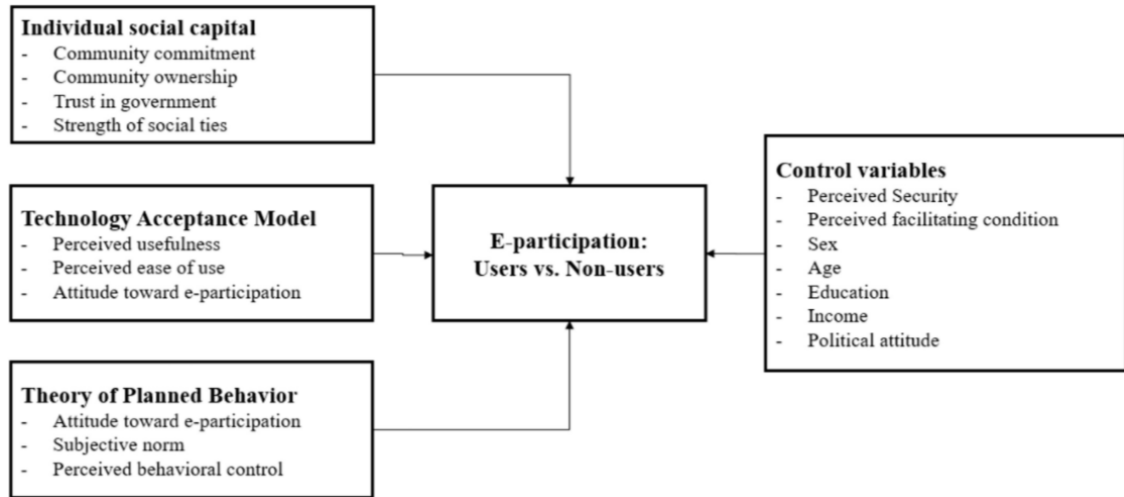
Figure 2, retrieved from: Choi, Ju-Choel, and Changsoo Song. "Factors Explaining Why Some Citizens Engage in E-Participation, While Others Do Not." *Government Information Quarterly*, vol. 37, no. 4, Oct. 2020, p. 101524, 10.1016/j.giq.2020.101524. Accessed 19 June 2021.

The first hypothesis was that citizens with a stronger commitment to the community were more likely to contribute via e-participation. This statement was proved correct, as citizens who were more invested in their community were found to have an increased sense of social responsibility. This phenomenon was seen to push citizens to engage in e-participation activities to a higher level. Consequently, their second hypothesis was also correct in predicting that a greater sense of community ownership positively influenced the individual's use of e-participation channels. It was also determined that the degree of engagement in e-participation was linked to the citizens' trust in government. Individuals who claimed to respect government officials were keener on using e-participation platforms provided by public authorities, confirming the third hypothesis.

The fourth prediction concerned the positive correlation between strong offline social ties and e-participation engagement. The data showed that quite the opposite to the belief that citizens who benefit from "real-life" social interactions would seek online

forms of social rewards from e-participation by gaining visibility, recognition, and attention (Lee & Kim, 2018), the coefficient was not particularly significant. The fifth and sixth hypotheses were also not confirmed, as a stronger perception of usefulness and ease of use of e-participation tools did not influence the citizens' engagement level. Attitude towards e-participation, which was the basis of the seventh hypothesis, did not provide sufficient proof to be considered relevant. On the other hand, the two final predictions, which considered subjective norms and a positive perception of behavioural control on e-participation to increase the likelihood of engagement, were both confirmed.

A final relevant observation concerns the findings concerning the demographic and socioeconomic status factors included as control variables. The data collected highlighted how education is related to e-participation. It was seen that the higher the level of education, the higher the level of engagement. However, income did not significantly impact citizen participation. Socioeconomically advantaged categories of citizens do not use e-participation technologies more extensively. Gender and age were also considered insignificant by the authors. As a general takeaway, the study concluded that citizens that claimed a higher degree of community commitment, community ownership, and trust in government were engaging in e-participation to a greater extent (Choi & Song, 2020).

Choi and Song's results are particularly relevant, as they will be taken into account in the concluding prospects for e-participation development in chapter 5. The model above successfully illustrates the reasons individuals decide or not to take part in public consultations online. Provided that an obstacle to the success of e-democracy tools is the poor engagement of citizens, considering the results of this study will be crucial to create or update new e-participation platforms effectively. The conclusions show that a higher perception of trust in public officials translates into more extensive use of e-participation channels, but not vice versa. This means that the development of e-democracy must be accompanied by other measures (e.g. structural reforms) aimed at increasing citizens confidence in institutions. An additional relevant finding is that subjective norms and positive perception of behavioural control are directly proportional to online civic engagement. Therefore, EU institutions and Member States shall concentrate on spreading the participatory democracy values enshrined in EU norms (see chapter 3.1).

Implementing initiatives aimed at promoting European citizenship and identity would positively influence community ownership and commitment among individuals.

A final element to be considered is how education impacts civic participation in democratic processes. Given that a higher education level leads to greater engagement, the European Commission shall continue expanding its knowledge and improving its strategies to foster digital literacy. In parallel, providing EU citizens with unrestricted access to quality education and the necessary critical and lateral thinking skills would boost citizen engagement in democratic life, contributing to better governance and public policies. Choi and Song's study highlights how e-democracy is not the only solution for successful policy-making and creating a new European public sphere. A new holistic and multifaceted approach must be adopted to achieve a genuinely participative democracy based on education, accountability, accessibility, empowerment, and inclusion.

1.4 The Dimensions of E-Participation and the Three Functions of Citizens' Involvement

As outlined previously, "e-democracy" is defined as "the use of ICT to support the democratic decision-making processes" (Macintosh, 2004). This concept is linked to the concept of "E-government", which is the use of ICT to provide public services (UN, 2004). An essential subset of e-democracy and e-government is e-participation. The United Nations (UN) provide a comprehensive definition of e-participation, describing it as "the process of engaging citizens through ICTs in policy, decision-making, and services design and delivery so as to make it participatory, inclusive and deliberative" (UN, 2014). It is part of e-government as e-participation identifies with those participation initiatives that are mediated through ICT, yet the distinction with e-democracy remains blurred. Since the main aim of e-democracy is achieving participatory democracy, some authors refer to e-democracy and e-participation as synonyms. Others tend to distinguish the latter according to the effects of ICT in terms of political impact (UN, 2014). E-participation revolves around the triangle of citizens – public administration – politicians as the actors of initiatives (Saebø, Rose and Flak, 2008). The government plays a central role among stakeholders, as it is either the initiator, moderator or receiver of e-

participation initiatives. The government is responsible for building inclusive societies through enhanced civic engagement, thus making public services more accessible and tailored to people's needs while improving the quality of the legislative framework.

David Le Blanc designed a diagram for e-participation according to governance concepts related to citizens' participation. Figure 3 explains how inclusion, participation, transparency, and e-government combine in the field of e-participation.

Figure 3: Relations among e-participation and selected governance concepts.
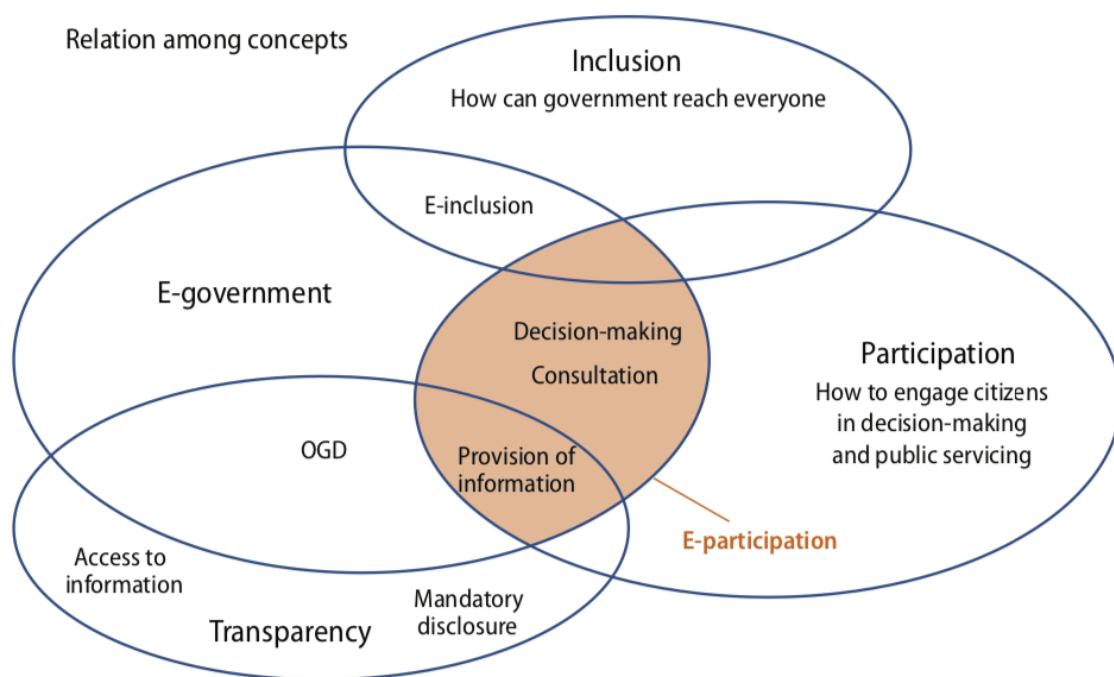
Figure 3, retrieved from: David Le Blanc, *E-participation: a quick overview of recent qualitative trends,* pp. 8, DESA Working Paper No. 163 ST/ESA/2020/DWP/163, JANUARY 2020, United Nations

In this context, the primary objectives of e-participations can be visualised clearly. The diagram outlines four crucial concepts to fully understand e-participation as a term. The figure highlights how e-participation is the main intersection between e-

government and participation. The development of e-government combines with the government's role in making public services available to the broadest possible range of citizens to achieve inclusion. Transparency combines with e-participation in providing citizens with information, which can be achieved through open government data (OGD). By making government data available to all, the OGD philosophy promotes transparency, accountability and value creation. E-participation also links to e-government in regards to public consultations and decision-making.

The European Union proposes a threefold structure of primary digital tools serving different functions of citizen involvement. These dimensions are monitoring, agenda-setting and decision-making. Each of these functions is represented by different types of e-participation, all accompanied by an "e" prefix. This structure provides a synthesis of the main scales of civic engagement that can be found in e-participation literature. The choice to develop e-participation tools at the EU level is based on a specific rationale. The focus on increasing government accountability and the desire to improve the quality of digital governance are undoubtedly the driving forces of innovation within EU institutions. According to a study for the AFCO Committee conducted by the Directorate-General for Internal Policies of the European Commission, the benefits of introducing e-participation in the EU are many. The analysis outlined how such tools can:

- *enhance participation and active citizenship;*
- *ensure a learning process;*
- *engage young people in policy-making;*
- *ensure innovative ideas for policy-making;*
- *increase political trust and legitimacy.*

(Lironi, 2016)

This standpoint was developed on the basis of van Dijk's analysis, which effectively summarises the main debates on e-democracy and the benefits deriving from a drastic change in political communication and democratic practices through ICT. Although the link between technology tools and democracy is complex and could even

be considered controversial, the author makes a series of statements that are at the core of the EU's actions. The claims are the following:

1) *ICT increases the scale and speed of providing information. This helps create more informed citizens;*

2) *Political participation is made easier and certain obstacles like apathy, shyness, disabilities, time, etc., can be lessened;*

3) *Computer-mediated communication (CMC) creates new ways of organising with subject-specific groups for discussion, cheap distribution costs, etc.;*

4) *The Net allows new political communities to arise free from state intervention;*

5) *A hierarchical political system becomes more horizontal by increasing political CMC;*

6) *Citizens will have more voice in creating agendas for government;*

7) *CMC will help remove distorting mediators like journalists, representatives and parties;*

8) *Politics will be able to respond more directly to citizen concerns as ICT and CMC enable a kind of political marketing research; and*

9) *ICT and CMC will help resolve problems of representative democracy such as territorial bases of constituencies, etc.*

(van Dijk, 2000)

Focusing on an international setting, the EU has adopted a series of e-participation instruments that, as a dimension of e-governance, relate to the use of ICT in government to citizens relations. While at the national level, many political parties have adopted e-participation platforms for internal decision-making, of which the Italian party 5 Star Movement's platform Rousseau is a concrete example.

E-participation tools can be categorised according to the function of citizen involvement pursued (see Table 1). The division among tools helps to channel citizens' needs and concerns to have the greatest possible impact. Citizens and civil society can choose the level of participation they wish to pursue (information, communication, or collaboration). Moreover, this clarification system clarifies at what stage of the policy cycle citizens' contribution is required (problem definition, agenda-setting, decision-making and policy formulation, policy implementation, or policy evaluation) (Hennen et

al., 2020). To comprehend the structure and purpose of each e-participation tool, it is necessary to provide definitions for each basic function of participation based on the level of impact.

• **Monitoring** refers to the control of political processes, players, and decisions by accessing relevant data. Digital information (e-information), online deliberation, and discussion are examples of participatory activities (e-deliberation). Information is necessary for all other aspects of involvement; nevertheless, it is a must for monitoring and control.

• **Agenda-setting** includes mobilising support for political projects (e-campaigning), submitting officials requests to government agencies, and obtaining politically significant material and debating on political topics (e-petitions).

• The third function of e-participation, **decision-making**, includes offering cognitive or evaluative input to policy decisions (e-consultation), defining priorities for or setting budget expenditure (e-participatory budgeting), and voting on political alternatives (e-voting)

(Hennen et al., 2020).

Table 1: Categorisation of e-participation types and tools according to the function of citizen involvement they pursue.

Function of Citizen Involvement	Types of E-participation	Tools
Monitoring	• E-information • E-deliberation • E-complaints	• Tools for monitoring, questioning and advising political representatives
Agenda setting	• E-petitions • E-initiatives • E-campaigning	• Citizen initiatives • E-petition

Decision-making	• E-consultations	• Crowdsourcing for law proposals
	• E-participatory budgeting	• Crowdsourcing for policy-making
	• E-voting	• Internet consultation, collaborative decision-making within political parties
		• Consultative participatory budgeting
		• Participatory budgeting
		• E-voting

Table 1, retrieved from: Hennen, L. (Ed.), Van Keulen, I. (Ed.), Korthagen, I. (Ed.), Aichholzer, G. (Ed.), Lindner, R., & Nielsen, R. Ø. (Ed.) (2020). *European E-Democracy in Practice*. Springer. https://doi.org/10.1007/978-3-030-27184-8

1.5 Final Remarks

E-participation is a governance concept that combines inclusion, participation, e-government, and transparency elements in the public sphere. In the 1990s e-democracy officially became part of the Union's agenda. EU institutions recognised the role of ICT to activate and inform the citizenry while making political processes more transparent and accessible to the population.

Scholars including Vedel, van Dijk, and Le Blanc, among others, have theorised the potential of e-participation platforms and helped shape the Union's vision of e-democracy. Despite the efforts made in designing e-participation platforms for monitoring, agenda-setting, and decision-making at the EU level, several limitations persist in this field. Adequate and harmonised national legislation on information access still lacks in many countries. At the same time, values such as community commitment, ownership and citizens' trust in governments need to be fostered at all governance levels more intensely. Electronic tools for discussion need to be further developed to become more inclusive and engaging for all citizens. EU institutions shall stimulate constructive public debates throughout the policy cycle to address emerging pan-European issues through Internet-based communication formats.

Chapter 2: Social Media and the Public Sphere

In addressing Internet-based communication, examining the relationship between social media, political communication, and democracy are essential for a comprehensive analysis. Multiple political events have highlighted how social media have been widely used for political purposes and have on one side shown their democratic potential and, on the other, fueled authoritarian tendencies and allowed the manipulation of content. A decade ago, optimism was widespread that the Internet could support the emergence of a new trans-national European public sphere that is more inclusive, deliberative and rooted in civil society. However, the existing literature is rather pessimistic on the use of digital tools in democratic processes.

Nowadays, political communication via social media is the primary focus of research. Social media have become an integral part of people's everyday life across the globe, enhancing interactions among individuals beyond the limits of space and time. In upholding the right to freedom of speech, many platforms, such as Facebook and Twitter, allow their users to share information and debate on an almost unlimited number of topics, including politics. The immeasurable amount of data displayed and stored on such platforms, including posts, pictures, videos, chats, and localisation, among others, contributes to the creation of online identities for each Internet user.

In the digital era, the Internet has become the primary source of information worldwide. According to the Digital 2020 Global Overview Report (We Are Social & Hootsuite), the average Internet user spends 6 hours and 43 minutes online every day. In January 2020, social media had 3.80 billion users. Facebook and Twitter especially have attracted the attention of public figures, including politicians, who see social media as an essential means to improve their communication effectiveness and drastically increase their audience in terms of outreach. Provided that democracies are based on popular legitimacy, politicians have started to make extensive use of social media to share their political views, advertise events, and promote their achievements. Social media coverage has become a crucial element of electoral campaigns.

Despite communication via social media currently being the main focus of research, the Internet may still have the potential to create a new public sphere that would

enhance inclusivity and deliberation. This chapter will compare the advantages and disadvantages of unrestricted social media to e-governance, and e-democracy more specifically, in empowering a democratic society. While national governments and supranational institutions struggle with passive audiences and disenchantment with politics, the main focus of this chapter will be to highlight how the Internet-based communication formats in e-governance can contribute to public deliberation by striving for inclusion and better regulation. Section 2.1 will address the link between social media and political communication. Sections 2.2 and 2.3 will first address the economisation of data as the inherent bias of social media, and conclude with the advantages and disadvantages of structured debates via e-democracy tools.

2.1 The Political Power of Big Tech

Social media have become one of the main sources of information for Internet users. However, the uncensored use of such platforms is highly vulnerable to the spreading of fake news, cases of cyber-harassment, and hate speech. On such platforms, expressing one's personal opinion on any matter has become extremely easy and inexpensive. In recent years the unrestricted use of social media became a subject of debate in international public policy. All social media users are entitled to react, by commenting and sharing, any news and any statement made by public figures available online. Thanks to this feature, potential voters can directly interact with policymakers almost without any filter. In February 2021, after President Trump inspired the outbreak of violence at the US Capitol, Facebook and Twitter decided to lock Trump out of his accounts, while Google and Apple decided to make the social media Parler no longer available on their Play and Apple Store. The decision to *deplatform* Parler, the right-wing platform used to organise the attack, and ban the former US President from Twitter permanently, has brought censorship and democracy online at the top of the global political agenda.

The closer ties between politics and Big Tech companies have made the latter an attractive target for political control. According to Mark Jamison[1], it is possible that in the near future, political actors will try to regulate Big Tech to control their political opponents' ability to use social media platforms. In the aforementioned US case, the companies' policies were aligned with the ideology of President's Biden incoming administration, making the decision look beneficial. However, replicating such synergies could be impossible in different circumstances, or in a different country. Many sovereign countries already restrict the use of social media and do so in different ways. According to Eli Noam[2], this trend raises many questions on freedom of speech and whether an international agreement on Internet regulation could be possible to pursue positive goals. The questions to be addressed are, to what extent should content be limited, and should it be a prerogative of the platform's owner to decide what can be shared within its walls? Noam suggests that the Internet shall be regulated by an international entity, based on constitution-like principles, that echo the First Amendment of the US constitution, protecting freedom of speech and press. However, if this agreement will not be achieved, the international community will have to reflect upon reducing America's control over the internet through the extensive use of firewalls, state licensing, and control. The potential broadening of categories for unlawful content and increase in censorship could jeopardise the sharing of ideas and opinions among users while restricting the democratic freedoms of citizens (Noam, 2005).

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[1] Mark Jamison is a visiting scholar at the American Enterprise Institute, and concurrently the director and Gunter Professor of the Public Utility Research Center at the University of Florida's Warrington College of Business.

[2] Eli M. Noam is a professor of finance and economics, and the director of the Columbia Institute for Tele-Information at Columbia University in New York.

2.2 The Polarisation of Debates on Social Media

On one side, social media have proved to be highly effective in narrowing down the gap between policymakers and citizens. On the other, it has contributed to the polarisation of political debate and the spreading of hate speech. Social media have been under the close attention of the EU, which has published the report "Technology and Democracy: Understanding the influence of online technologies on political behaviour and decision-making" (2020) to help citizens, civil society, and policymakers better understand the impact of the Internet on political decisions. The report identifies critical pressure points linked to the lack of public oversight and democratic governance. The focus is on four main concerns: choice *architecture, algorithmic content curation, microtargeting, and misinformation* (Lewandowsky et al., 2020).

As an integral part of social media platform design, choice architecture is developed to encourage users to constantly engage with the content provided on the website. This incentivises addictive behaviours and pushes users to share a tremendous amount of data collected through the most simple online interactions. Choice architecture strictly connects to algorithmic content curation that, based on the *attention economy* concept, selects the content for Internet users to see. The unrestricted use of algorithms in social media can stop individuals from receiving certain information and significantly contribute to the polarisation of online discourse. Such algorithms are explicitly developed to provide users with advertisements that reflect their personalities. If used politically, microtargeting is one of the main factors which undermines the foundation of democratic choice. The method consists of analysing individuals' digital footprints, which reflect personality and preferences, to predict market segmentation. Political parties worldwide have the potential of making extensive use of the microtargeting technique to identify potential supporters and heavily influence democratic discourse among Internet users (Lewandowsky et al., 2020).

The report concludes its analysis by highlighting how social media's intrinsic need for attention results in the prioritisation of content that can attract a high level of public engagement. This feature leads to the overexposure of users to polarised and controversial content at the expense of truthful and reliable information that inspires

less emotive reactions. In fact, due to the almost uncontrollable spreading of fake news, the level of misinformation on social media is still on the rise (Noam, 2005).

2.3 The Potential of e-Democracy

The main difference between social media and e-democracy lies in the fact that, while in the first case, any online interaction of users involving a transfer of data is being economised to increase profitability, in e-participation, the use of interactions is functional to the realisation of participatory democracy principles enshrined in national and supranational law. In 2006, Päivärinta and Øystein[3] wrote that "E-democracy refers to the use of ICT in political debates and decision-making processes, complementing or contrasting traditional means of communications, such as face-to-face interaction or one-way mass media".

The book by Leonhard Hennen et al., "European E-Democracy in Practice" on how digital technologies matter for democracy, identifies a series of advantages derived from the use of ICT and CMC in the public sphere. First, ICT helps to create more informed citizens by increasing the speed of information dissemination. Second, ICT increases political participation by eliminating physical and emotional barriers, such as shyness, disabilities, time, and geographical remoteness, among others. CMC creates new ways of organising group discussions on specific subjects by lowering costs and allowing a better distribution of participants. Furthermore, political systems that have traditionally been hierarchical become more horizontal, allowing citizens to have a stronger voice in shaping government agendas (Hennen et al., 2020). The direct interaction enabled by ICT and CMC allows policymakers to better address and directly respond to citizens' concerns by potentially avoiding the mediation of journalists, representatives, and political parties, who are often responsible for the spreading of distorted or misinterpreted information (Hacker & van Dijk).

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[3] Dr. Tero Päivärinta is Professor and Chair of Information Systems at the Luleå University of Technology, Sweden. Dr. Sæbø Øystein is Professor in Information Systems, University of Agder, Norway.

Nonetheless, the use of e-democracy tools raises many questions when envisioning the aforementioned scenarios. It is important to consider that there are multiple issues concerning information disclosure, discussion moderation and the avoidance of intermediary bodies.

It is often instinctive to advocate for transparency without considering the negative turnouts that an unlimited amount of information could bring in the public sphere. Specifically, an information overload can even inhibit citizens in making a fully informed and rational decision. When it comes to electoral decisions, studies in political psychology suggest that citizens take decisions through the use of heuristics (Kuklinski, 2001). Humans take shortcuts in logical thinking, leading to suboptimal decisions, and natural evaluations in decision-making are performed automatically in the perception and understanding of the message received.[4]

According to *cognitive psychology* and the theory of *bounded rationality*, human reasoning is dependent on an individual's capacity to analyse information and by the complexity of the surrounding environment. For this very reason, it is important to establish what kind of political information is practically needed to be a "good" citizen. Whether the purpose is the digitalisation of public services or the development of e-democracy tools, a guiding principle should be that information needs to be selected strategically for the common good of citizens. A massive and indiscriminate disclosure of information could further deepen inequalities among citizens based on education or the amount of time available to dedicate to research (Norris, 2000).

Building on the previous argument, in shaping a future in which citizens are fully engaged in the decision-making processes, political parties and mass media may become obsolete. Traditionally, the media have played an essential role in filtering, contextualising, and channelling information, relieving citizens from this burden. On the

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[4] Researchers have proposed two distinct cognitive systems for reasoning, thoroughly explained by the *dual-process theory.* System 1, which is shared with other animals, consists in unconscious thoughts which arise from innate instincts, where the stimuli received from the environment are interpreted and processed automatically. While System 2, involves the conscious mind, and is a feature strictly specific to human beings. This process of rational thinking is performed more slowly and involves analytical thought over a certain stimulus, the use of memory and hypothetical thinking. These two systems compete to control human behaviour, are constantly conflicting and mutually influence each other.

other hand, political parties as private associations became part of political systems to collect views and opinions and to connect interest groups. In a democracy, both entities provide multiple interpretations of issues of public concern, allowing citizens to agree or disagree with the proposed standpoints (Vedel, 2006). Hence, an essential element of the discourse on the development of e-democracy shall be whether these realities may or may not coexist, and if so, to what extent.

Lastly, to truly enable a constructive debate on public policy, establishing codes and norms is necessary. This statement seems to clash with the notion of unrestricted freedom of speech and has become a major concern since the latest cases of censorship on social media. However, the choice of having no limitation on the expression of ideas can be detrimental, especially if the aim is to developed structured discussion formats and draw purposeful conclusions from online debates. Therefore, alongside embracing Noam's idea of establishing international norms and an international supervisory entity over the use of the Internet and new media, governments and supranational institutions shall establish a common framework of reference for the use of e-democracy instruments, as advocated by Vedel.

2.4 Final Remarks

The existing literature is rather pessimistic on the use of digital tools in democratic processes. Digital tools may lead to superficial political debates and deliberations due to disinformation, fake news, and algorithm content curation. The Internet can be used to support populism and deepen information inequalities, ever more frequently leading to political extremism and radicalisation (von Behr et al., 2013). Despite national and international efforts to regulate online content and data collection through privacy protection policies and censorship of violence and extremism, it is not yet clear whether the Internet is beneficial or not for democracy. The key is to focus on its use for the common good.

Despite the fact that social media do enable the inclusive involvement of even underrepresented opinions, they also leave great room for distortions and manipulation of public discourse. For this reason, upholding the fundamental right of all citizens to

political participation, utilising ICT and CMC to structure and enhance the quality of political debates and democratic processes is a step in the right direction. If it is true that the Internet is constantly evolving, then the public sphere has to embrace and endorse the ongoing digitalisation and technological development. A structured, purposeful, and adequately funded digital transition in the public sphere needs to be fostered in favour of e-democracy and e-participation tools. Today, e-governance has the potential to achieve full citizens involvement, complete openness and transparency in decision-making, and truly empower a democratic society.

Chapter 3: The European Union Legal Framework

The purpose of this chapter is to provide an overview of the legal framework in e-participation operates. European institutions and EU countries developed participatory democracy principles that are part of the Treaty on the European Union (TEU), the Treaty on the functioning of the European Union (TFEU) and the EU Charter of Fundamental Rights (ChFR). Since the early 2000s, the EU has adopted policies regulating the relations between European civil society and institutions. The EU has attempted to use these communication channels not just as a means of obtaining expert knowledge from civil society but also of developing a participative strategy aimed at reconnecting European institutions with individuals and their preferences.

Sections 3.1 identifies the legal basis for European participative democracy, built on transparency, diversity and civic dialogue. Sections 3.2 consists in an overview of the current trends and measures in place in the field of e-democracy, providing examples of relevant national and European digital tools. The EU has made several attempts to organise participatory mechanisms, which led to the launch of the ECI and of the Conference on the Future of Europe, which will be the focus of chapters 4 and 5.

3.1 The Principles of Participatory Democracy

The potential of tech-driven governance has long been a topic of debate within EU institutions. Participatory democracy elements are enshrined in EU norms. References can be found both in the consolidated version of the Treaty on the European Union (TEU), in the consolidated version of the Treaty on the Functioning of the European Union (TFEU), and in the EU Charter of Fundamental Rights (ChFR). Table 2 reports the articles that legitimate EU policy-making in the area of democracy and inclusion. The EU's provisions concerning civic engagement in democratic life include EU citizens' petition rights, equality among citizens and organisations, associations, and civil society more broadly. Moreover, the Treaties of the EU enshrine explicit obligations of EU institutions to establish both horizontal and vertical public consultation procedures. An

additional crucial element is that civic dialogue is recognised as a guarantee for transparency and coherence of EU laws.

Table 2: Participatory democracy provisions enshrined in EU norms.

Art 10.3 TEU/Art 15 TFEU "Citizen Centered Democracy" Every citizen shall have the right to participate in the democratic life of the Union. Decisions shall be taken as openly and as closely as possible to the citizens.
Art 11.1 TEU "Horizontal Civil Dialogue" The institutions shall, by appropriate means, give citizens and representative associations the opportunity to make known and publicly exchange their views in all areas of Union action.
Art 11.2 TEU/Art 16 TFEU "Vertical Civil Dialogue" The institutions shall maintain an open, transparent and regular dialogue with representative associations and civil society.
Art 11.3 TEU "Consultation Procedure" The European Commission shall carry out broad consultations with parties concerned in order to ensure that the Union's actions are coherent and transparent.
Art 11.4 TEU "European Citizens' Initiative" (7) Member States may take the initiative of inviting the EC, within the framework of its powers, to submit (…) where citizens consider (…) to implement treaties.
Art 17.1 TFEU "Spiritual Dialogue Partners" The Union respects and does not prejudice the status (…) of churches and religious associations or communities in the Member States.
Art. 17.2 TFEU "Secular Dialogue Partners" The Union equally respects the status under national law of philosophical and non-confessional organisations.
Art. 17.3 TFEU "Dialogue of Values" Recognising their identity and (…) contribution, the Union shall maintain an open, transparent and regular dialogue with these churches and organisations.

Art 24 TFEU/Art. 44 ChFR "Petition Right"
Every citizen shall have the right to petition the European Parliament (…) Every Citizen shall have the right to apply to the Ombudsman

Table 2, retrieved from: Hennen, L. (Ed.), Van Keulen, I. (Ed.), Korthagen, I. (Ed.), Aichholzer, G. (Ed.), Lindner, R., & Nielsen, R. Ø. (Ed.) (2020). *European E-Democracy in Practice*. Springer. https://doi.org/10.1007/978-3-030-27184-8

As outlined in chapter 1, the participatory turn enacted by the EU was initiated in the 1990s. However, the reduction of social inequalities in the informational society only became an objective through the Lisbon Agenda, launched in 2000. Nevertheless, the agenda has a way broader scope: it established strategic objectives to support employment, economic reforms and social cohesion by focusing on education, combatting poverty and promoting social inclusion. In 2002 the e-Europe Action Plan (2002-2005) was implemented, introducing a plan for e-inclusiveness and digitalisation of government services. The main goal was to provide a favourable environment for private investments to stimulate secure services, applications and content based on widely available broadband infrastructure. Specifically, the European Council had called upon the Commission to develop a strategy that would make broadband networks broadly available in the Union by 2005 and create secure eGovernment, eLearning, eHealth and eBusiness networks (European Commission, 2002).

In 2005, Plan-D (Democracy, Dialogue, Debate) moved the conversation towards civic engagement via public consultations. The Plan aimed to promote European democracy by providing citizens with the necessary information and tools to actively participate in the decision-making process. This initiative was developed to restoring public confidence in the EU while giving EU citizens ownership over the European project. Listening to citizens' concerns was identified as the primary means for civic engagement and building trust in institutions (European Commission, 2005). In 2010 and 2012, two major instruments entered into force, respectively the Digital Agenda for Europe and the European Citizens' Initiative. Delivering sustainable economic and social benefits from a digital single market via fast and ultra-fast internet and interoperable applications became the main aim of the agenda. Within this framework, a series of

flagship initiatives for 2020 were developed based on seven main pillars, which corresponded to the main obstacles identified by the European Commission in the field of digitalisation:

- *Fragmented digital makets,*
- *Lack of interoperability,*
- *Rising cybercrime and risk of low trust in networks,*
- *Lack of investment in networks,*
- *Insufficient research and innovation efforts,*
- *Lack of digital literacy and skills,*
- *Missed opportunities in addressing societal challenges.*

The key actions taken by the European Commission to reverse these trends included simplifying cross-border licensing, drafting the e-Commerce Directive, the e-Signature Directive, and VAT Directive for eInvoicing, developing the General Data Protection Regulation (GDPR), and reforming the rules for ICT standards in Europe and prevent cyberattacks among many others (European Commission, 2010).

The ECI was the first-ever instrument to provide a bottom-up approach for citizen participation. Millions of citizens are invited to submit their proposals for legal acts of the European Union with the scope of implementing its Treaties. This agenda-setting instrument has for many years been the primary means for civic engagement at the EU level. The Lisbon Treaty regulates the ECI's functioning and is further implemented thanks to the Regulation on the Citizen's Initiative since its launch in 2012. By 2018, more than 9 million statements of support from EU citizens were gathered by the organisers of initiatives across the Union (European Commission, 2018).

In 2016, the eGovernment Action Plan (2016-2020) was developed to bring forward innovative approaches for the digitalisation of public services. The objective was to have public administration services better address the needs of the citizens by improving the quality of online interactions. Under the Action Plan, public administrations and EU institutions were envisioned as efficient, inclusive, and able to provide borderless and user-friendly digital services for both citizens and businesses in all EU Member States. The main priorities of the eGovernment Action Plan included:

- *Modernising public administrations using key digital enablers (for example technical building blocks such as CEF DSIs like eID, eSignature, eDelivery, etc.),*
- *Enabling mobility of citizens and businesses by cross-border interoperability,*
- *Facilitating digital interaction between administrations and citizens/businesses for high-quality public services.*

(European Commission, 2016b)

The substantial impacts of the instruments above will be evaluated in the upcoming years. However, the EU's commitment to e-government and e-democracy drives constant updates in the Union's legal framework. The following section (3.2) outlines the trends and measures currently in place to foster participatory democracy. In the last decade, Member States' governments have developed national strategies for the digitalisation of public administration services and participatory democracy. The implementation of e-democracy plans is thus twofold, and it takes place at the national and international levels simultaneously.

3.2 The Current Trends and Measures in Place at The National and International Levels

Since the release of the previous EU citizenship report, between 2017 and 2020, the EU has faced considerable challenges because of the COVID-19 pandemic but also underwent several improvements. New powerful social movements tackling issues such as climate change, taxation, racism and gender equality, to name a few, were created and are relentlessly on the rise. The European Parliament elections of 2018 have seen an all-time high in voter turnout, with the youth being its primary driver. Furthermore, the composition of the European Parliament is increasingly gender-balanced, and its members are more than ever in favour of free movement (European Commission, 2020c).

Overall, in recent years EU citizens have shown that they are more than ever willing to have their voice heard on matters of public interest. Street protests are now

inextricably combined with online activism, increasing their reach to a global range. The use of the Internet has cancelled both geographical and linguistic borders, exponentially increasing the impact of social mobilisation. Now that creating pan-European synergies is possible bringing citizens closer to the EU is a priority for European democracy. Nonetheless, the protection of fundamental rights shall not be taken for granted. In a ten-year time, new problems have developed in the fields of migration and security and, most recently, in the context of the COVID-19 crisis, which imposed limitations on a wide range of basic rights and freedoms and increased the inequality gap. In this context, the green and digital transition envisioned by the EU bring new unexplored possibilities for the protection of fundamental human rights.

Nonetheless, on one side, digital automation can drive technological progress, and on the other, fuel hate speech and discrimination, as well as threaten freedom of expression through increased surveillance (European Commission, 2020d). The EU's commitment in such a field led to the adoption of the new Strategy for strengthening the ChFR and the European Democracy Action Plan. Both legal instruments have been developed to stand up for challenges in the European democratic system, stemming from extremism, fake news and the distance perceived between politicians and citizens. Specifically, the Democracy Action Plan is based on three main pillars: promoting free and fair elections, strengthening media freedom and pluralism, and countering disinformation. In promoting these actions, Ursula Von der Leyen remarked that "*with the digital revolution underway, citizens must be able to make choices where views can be expressed freely. Facts have to be distinguished from fiction, and free media and civil society must participate in an open debate, free from malign interference. Therefore the EU is taking action to make our democracies in the EU more resilient*" (3 Dec. 2020).

In the 2020 EU Citizenship Report, the European Commission proposes a series of actions to facilitate the ongoing digital transformation and further protect citizenship rights. Strengthening democratic participation, citizens' empowerment and fostering the inclusion of citizens in the EU are among the Unions priorities. The Citizenship Report recognises the importance of citizens' involvement at all stages of the democratic process. The Commission also underlines the general push towards deliberative democracy advocated by EU citizens, as outlined by the dedicated consultations and Flash Eurobarometer survey on EU citizenship and democracy. In recent years, new

deliberative instruments have emerged across Europe. Some of the initiatives include citizen assemblies, allowing citizens to actively contribute to policy-making (European Commission, 2020a). Some of the most popular e-participation tools currently in use have been classified by the European Parliamentary Research Service (ERPS) according to the function of citizens' involvement (see chapter 1.4).

Table 3: 22 most relevant digitals tools for active citizenship identified by ERPS

Websites that monitor politics	• TheyWorkForYou • Abgeordnetenwatch.de
Informal agenda- setting tools	• Petities.nl (Dutch e-petitions site) • Open Ministry and the Finnish Citizen Initiative
Formal agenda- setting tools	• Constitution Iceland (crowdsourcing for a new constitution) • Future Melbourne Wiki (co-creating a city planning vision) • Predlagam.vladi.si (Slovenian platform for e- proposals and e-petitions) • European Citizens' Initiative (citizens' proposals for new EU laws) • Participatory budgeting in Berlin-Lichtenberg • Internetconsultatie.nl (Dutch e-consultation on draft legislation) • Futurium (consultation on EU – digital – policy making) • Your Voice in Europe (public consultation on EU policy) • European Citizens' Consultation 09
Non-binding decision-making tools	• Pirate Party Germany • Five Star Movement (Rousseau) • Podemos • Participatory Budgeting Belo Horizonte • Participatory Budgeting Paris

	• Betri Reykjavik (participatory budgeting and agenda-setting tool)
Binding decision-making	• E-voting in Switzerland • E-voting in Estonia • E-voting for Spitzenkandidaten in the 2014 EP elections within the Green Party

Table 3, retrieved from: Scientific Foresight Unit (STOA), ERPS. *Prospects for E-Democracy in Europe Study Summary IN-DEPTH ANALYSIS Science and Technology Options Assessment.*, 2018.

A pan-European e-democracy initiative for agenda-setting that is currently under the spotlight is the Conference on the Future of Europe, consisting of a new public forum for consultation and structured debates on the priorities of the Union. The Conference uses a multilingual digital platform, whose main scope is to empower EU citizens from all geographical areas and walks of life to express their opinion concerning EU policies. The contributors are encouraged to make proposals and suggestions for the Union's further development and organise local events for open debates. In the 2020 EU Citizenship Report, the Commission confirmed that new innovative formats for public consultations would be explored to collect feedback on new EU legislation. Designing policies that raise awareness and increase public involvement in decision-making to benefit all EU citizens will remain the guiding principle in the upcoming years. The forecast is that creating new digital tools to enhance participatory democracy, alongside the funding of research and innovation projects, will be a central area of focus for governance both at the national and international levels in the upcoming years. Making the voice of Europeans heard in the public arena will also be crucial for the success of the European Green Deal, which advocates for the extensive use of public deliberation and participation throughout the transition process.

The European Youth Strategy (2019-2027) establishes a set of guiding principles that need to be considered when addressing the EU's digital transformation. The three core values of the strategy, namely Engage, Connect and Empower, enclose the EU's commitment to achieving inclusive, participatory democracy extended to the youth. The

structured youth participation tool, EU Youth Dialogue, was designed as a space to exchange ideas and contribute to the bottom-up mobilisation of young people's opinions. In 2020 the European Citizens' Initiative (ECI) was made more accessible, user-friendly and was updated through an extension of the initiatives collection periods to better cope with the effects of the pandemic. The ECI was the first ever created EU-wide instrument for participatory democracy, allowing citizens to request the European Commission to make legislative proposals once an initiative reaches one million signatures. Seven years after its initial implementation, the ECI's digital platform was redesigned to facilitate interaction with citizens thanks to a comprehensive modernisation process. The update aimed to enable more effective policy-making and make the Initiative more attractive and accessible to younger generations (Sgueo, 2020).

The European Commission also launched a digital platform, Futurium, to help formulate future EU policies based on scientific evidence and stakeholder participation, using various digital techniques, including data-crawling to gather knowledge from social networks. Initially launched by the European Commission's Directorate-General for Communications Networks, Content and Technology (DG CONNECT), Futurium underwent consistent changes, becoming a platform for e-participation. It aims at giving citizens, civil society, and businesses to voice their opinions, share best practices, documents, network and make proposals to help design future policies. Design played a crucial role in the development of the platform. Contributors can express their preference on future scenarios, agree or disagree with certain statements to highlight current trends, and provide feedback on European Commission initiatives through open-end questions (European Commission, 2016b).

A final tool worth mentioning is Your Voice in Europe, a web platform designed to organise discussions and allow individuals and stakeholders to provide feedback at different stages of EU policy development. Your Voice in Europe offers access to public consultations launched by the European Commission.

To continue improving the EU's democratic process, the European Commission has committed to four main actions. The first is to take innovative approaches to better involve citizens in the legislative process. This action includes having checks on the feasibility and suitability of EU laws and relying on public scrutiny to ensure compliance with EU values. A second step is to financially support projects aimed at citizens'

participation and deliberation through the Citizens, Equality, Rights and Values programme, the Horizon Europe programme, and the European Green Deal transitions. Third, the Commission plans to promote local actions that can foster a bottom-up approach and awareness-raising initiatives to enhance the importance of participation in culture for society and democracy. Lastly, given the relevance of digital literacy for the success of e-democracy, investing in formal and informal education projects under the digital education action plan (2021-2027) will be crucial. Tackling disinformation and help citizens develop a deeper understanding of artificial intelligence (AI) and data are some of the European Commission's must-win battles (European Commission, pg.16-19, 2020b). In 2020, the European Parliament identified four main challenges for civic engagement in EU decision-making, which will need to be addressed promptly:

1) *The costs and risks of innovation*: how to innovate without exceeding budget limitations and simultaneously avoid policy failure?

2) *The regulation challenge*: how to find a balance between over- and under-regulation of technologies? How to best address issues concerning AI, collective intelligence (CI), and sentiment analysis?

3) *Social exclusion*: What can public regulators do to avoid social exclusion in online debates? In other words, how can the design and the rules governing public spaces avoid the polarisation of discussions according to dominant and subordinate positions of stakeholders?

4) *Privacy threats*: how to deal with the increasing amount of users' data shared with public administrations? How to ensure third-party accountability, in a scenario where big tech companies hold power over both citizens and government data?

(Sgueo, pp.6-10, 2020)

3.3 Final Remarks

The e-Europe Action Plan (2002-2005), Plan-D (Democracy, Dialogue, Debate), the Digital Agenda for Europe, the European Citizens' Initiative, the e-Government Action Plan (2016-2020), the European Youth Strategy (2019-2027), Your Voice in Europe, and Futurium, are to be considered concrete examples of the EU's efforts in the development of e-government and e-democracy.

The current trends and measures in place within the EU highlight its effort to build transnational synergies in the field of e-democracy to bring citizens closer to political institutions. However, European institutions must be able to innovate and adapt current policies and internal structures to best involve citizens in the legislative process. Investing in projects and bottom-up initiatives aimed at civic engagement must be a priority both at the national and international levels. Furthermore, the EU must encourage its Member States to close the digital divide by putting digital literacy at the core of future measures in the field of education.

Upholding the Union's participatory democracy principles and actively collecting feedback on existing programmes and policies thanks to e-participation tools will drive a comprehensive reform process and lead to legislative changes and updates for the benefit of EU citizens.

Chapter 4: Experiences with E-Participation at the European Union Level

The EU has developed multiple e-participation tools to better involve its citizens in public deliberation. Civil society consultations have created a first channel for communication among stakeholders of public policy; however, they failed to provide a grassroots civic engagement in EU policy-making. In contrast, the European Citizens' Initiative and the Conference on the Future of Europe both have particular significance for pan-European participatory democracy.

The implementation of the ECI brought two major innovations: a transnational participatory mechanism based on the mobilisation of citizens across the EU Member States, and a new system to strengthen the relationship between civil society and EU institutions. The ECI is particularly relevant for e-participation development as it was the first instrument for EU citizens to directly invite the European Commission to take action. However, it does not question the Commission's monopoly of initiative, and it respects its rights to accept or reject proposals. While petitions express concerns and demands about current European policies, the ECI is an agenda-setting tool (Bouza García, 2013). The Conference on the Future of Europe developed in parallel to the COVID-19 pandemic. It is the most recent e-democracy exercise made by the EU, and it is the first of its kind. The Conference's features sparked criticism, curiosity and also hope for change among EU citizens and civil society. The Conference is intended to look ahead 20 to 30 years and envisage Europe's future. Most recent European crises have highlighted the importance of strengthening Europe's resilience and ability to address emerging challenges. Hence, the Conference will play a crucial role in fostering unity and shaping a renewed common perspective for the Union's future development. The Conference's multilingual digital platform, European Citizens' Panels, and the Plenary are tools through which the Union aims at restoring the credibility and effectiveness of representative democracy. Its success will depend on the Conference's ability to inspire European societies and provide concrete responses to the citizen's requests (Dzurinda, 2021).

The ECI and Conference on the Future of Europe are a chance to get citizens actively involved in discussing Europe's future role. They offer real potential to fulfil the EU's

objectives and establish a structured and constructive channel for debate, criticism, and feedback. Chapter 4 describes the legal basis and current state of affairs for both of these tools. The aim of the analysis in sections 4.1 and 4.2 is to identify similarities and differences and recognise the strengths and weaknesses of two of the most innovative e-participation tools implemented at the EU level. Even though the ECI and Conference pursue the same goal, they function thanks to different mechanisms. By investing in outreach and inclusion, both instruments aim at increasing diversity in EU policy-making, both in terms of participants and in regards to the issues addressed. While in the ECI, the success of an initiative is a responsibility of EU citizens, the Conference relies on a series of online and offline forums for civic engagement moderated and structured by EU officials. The first tool adopts a bottom-up approach, while the second is fundamentally top-down. Whether the Conference on the Future of Europe will turn out to be more effective than any other e-participation format is yet to be determined. Chapter 4 gives a comprehensive overview of these tools' main characteristics and provides a basis for the improvement suggestions outlined in chapter 5.

4.1 The European Citizens' Initiative (ECI): The Legal Basis and Current State of Affairs

The European Citizens' Initiative (ECI) entered into force on April 1st, 2012, intending to provide European citizens with the opportunity to express their opinions, ideas, and concerns online to influence the decision-making processes within EU institutions. The system was conceived as a bottom-up approach for agenda-setting at the EU level via digital tools for active citizen participation. Citizens' empowerment and civil society mobilisation are the two driving principles of the ECI. Being the first digital supranational participatory democracy instrument ever developed by the EU, the functioning and effectiveness of the ECI have been assessed throughout the past decade, leading to important updates. Nevertheless, some inherent pitfalls, which significantly limit the ECI's performance, are still evident to date.

The ECI allows citizens to forward proposals to the European Commission on any topic of concern for the EU and its Member States. More specifically, the proposal must

lay under an area of EU competence, and there must be a Treaty providing a legal basis to take action in that field (e.g. environment, customs union, fisheries, energy, transport etc.). A necessary condition is creating a citizens committee, including at least seven citizens from seven EU countries, which will be responsible for registering the initiative on the ECI website. In addition, for proposals to be taken into account, the initiators must collect at least one million signatures from European citizens residing in at least seven different Member States within twelve months from the initial registration to the ECI portal. It is important to note that each Member State also has an additional individual threshold to be fulfilled. Valid signatures need to come from EU citizens above the voting age for the European Parliament elections (18 in all EU countries, except for Austria, where citizens need to be older than 16) and can be collected online and offline. Digital signature collection systems and support forms are to be certified and monitored by competent national authorities. Once the signature threshold is reached, the European Commission proceeds with examining the initiative and decides whether legislative steps shall be taken on the topic. During this phase, the ECI initiators are invited to a public hearing in front of the European Parliament to explain their proposal. While the European Commission is not required by law to propose legislation, it must defend its choices in a communication. This document must include information on how the Commission will proceed, and what measures (if any) are suggested, and the rationale behind the choices made. The communication is then adopted by the College of Commissioners and is available in all official EU languages. The Europe Direct Contact Centre provides information and support on ECI regulations and processes in all EU languages.

The organisers of the initiatives are responsible for awareness-raising and collecting the signatures, both online and in-person. The signatories of the initiatives can also issue statements of support, which have to be collected in compliance with the ECI Regulation and data protection regulations (Regulation (EU) No 211/2011, Articles 5 and 12). The European Commission also contributes to promoting citizens' initiatives in cooperation with the European Economic and Social Committee (EESC) and the ECI Expert Group. Communication often involves EU Member States' authorities and the European Commission Representations. Civil society organisations (CSOs), which may be less influential within EU institutions but inspire widespread civic action, are not allowed to run citizen initiatives but play a crucial role in promoting public participation

in the ECI. The representatives of companies and businesses are among the most active contributors, alongside EU officials who use this instrument to foster the debate on issues that already are on the EU's agenda (Hennen et al., pp.120, 2020).

Between 2012 and 2017, only three initiatives out of 59 submissions to the European Commission have fulfilled the signature criteria. Between 2018 and 2020 other three initiatives were considered valid, adding up to six initiatives in total. The successful initiatives are:

- Right2Water,
- One of US,
- Stop glyphosate,
- Stop Vivisection,
- Minority SafePack,
- End the Cage Age.

(European Commission, 2018)

Since the launch of the ECI, the six successful initiatives have collected 8,080,166 validated signatures. However, this number shall not be overestimated. The percentage of the overall signatures compared to the Member States' population between January 2020 and May 2021 ranged between 0.01% in Romania (at lowest) and 0.4% in Slovenia (at highest). Another interesting statistic is that ECI initiators aged between 21 and 30 years old are the majority (30% on average), and that the most active age range is between 21 and 50 years old (slightly less than 70%) (European Citizens' Initiative Forum, 2020). In the Special Eurobarometer 500 on the Future of Europe, EU citizens were asked to choose, among a series of instruments, the best way of ensuring their voice is heard by decision-makers at the EU level. Only in Estonia and Lithuania "Joining a European Citizens' Initiative" was the third most frequently mentioned item, scoring lower in all other countries.

4.2. The Conference on The Future of Europe: The Legal Basis and Current State of Affairs

On May 9th 2021, Europe's Day, the Conference on the Future of Europe was officially opened during a ceremony at the European Parliament in Strasburg. The Executive Board of the Conference had adopted its Rules and Procedures, and the interactive multilingual digital platform, the Conference's hub, had already been launched on April 19th. The European institutions presented this initiative as a deliberative democracy exercise first of its kind. The EU offered a new instrument for all citizens from across its Member States to engage in transnational debates. The ultimate aim of the Conference is to engage citizens in the decision-making processes of the EU, providing them with the tools to contribute to shaping the Union's future policies actively. It is designed to be an inclusive civic engagement instrument to narrow the gap between citizens, their representatives, and international institutions (European Commission, 2021a).

On March 10th, 2021, the Joint Declaration on the Conference on the Future of Europe was signed by the European Parliament President David Sassoli, the President of the European Commission Ursula Von der Leyen, and by the Portuguese Prime Minister António Costa, on behalf of the European Council presidency. It was agreed that the Conference would be run in full respect of people's privacy and EU data protection rules. The European Citizens' Panels organised at the European level would be broadcasted, and the online submissions and related documentation would be made available on the platform. The declaration further states that the Conference is recognisable through a single identity and that all organisers of events within its framework have to subscribe to the Conference Charter. All activities made within the Conference are based on the Union's values laid out in the Treaties and European Charter of Fundamental Rights.

The Conference on the Future of Europe includes both online and face-to-face elements, which combine in shaping its hybrid nature. The Conference has a triangular governmental structure, comprised of the interactive multilingual digital platform, the European Citizens' Panels, and Conference Plenary, which all contribute to the development of proposals, even if at different stages. These three tools are interdependent, as the input gathered through the platform will first be discussed in the

Panels and then brought forward at the Conference Plenary. The Conference on the Future of Europe is an ongoing process lasting for over a year. The final conclusions will be drawn in 2022, however, it is vital to keep in mind that the citizens' recommendations will be part of the EU's agenda and reform process for many years to come (European Commission, 2021a).

The Conference was conceived to be a healthy deliberative process, also including people who do not usually get involved in participative democracy practices or that are sceptical of the European project. In fact, as Ana Paula Zacarias[5] underlined, this initiative wants to contribute to a mindshift. EU citizens shall not be viewed as objects of democracy but as active participants who are put at the heart of policy-making. To reinforce this concept, two of the principles guiding the Conference are based on transparency and openness. First, the influence or the outcome of the deliberations taking place on the platform shall not be influenced by EU officials. Second, the Conference does not wish to replace but to strengthen representative democracy. The Members of the European Parliament (MEPs) and civil servants of the European Union are to be held accountable for their commitments and are responsible for designing and implementing the necessary reforms to improve EU policies and structures (Dubravka Šuica, May 2021).

Shaping a Union based on inclusiveness is another essential component. The online digital platform is available in all 24 European official languages but can also accommodate unofficial languages upon request. Once the individual registration is completed, users can autonomously make suggestions on any cause they wish to support or advocate for. The platform has been structured in such a way that proposals are organised in nine topics of discussion to foster a structured debates, namely:

- *climate change and environment;*
- *health;*
- *a stronger economy social justice and jobs;*
- *EU in the world;*

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[5] Ana Paula Zacarias is the Portuguese Secretary of State for EU Affairs and co-chair from the Presidency of the Executive Board of the Conference of the Future of Europe.

On March 24th, 2021, the statement was made on occasion of the Executive Board's first meeting.

- *values and rights, rule of law, security;*
- *digital transformation;*
- *European democracy;*
- *migration;*
- *education, culture, youth and sport; and*
- *other ideas.*

(Multilingual Digital Platform of the Conference on the Future of Europe, last accessed on July 13th, 2021)

The platform acts as a hub of the Conference on the Future of Europe with a dual function: providing a space for the interaction ideas across EU territory, through the endorsement of proposals and the comment section, and acting as a database, collecting the opinions and suggestions of EU citizens and the results of the Conference-related events held across the EU Member States uploaded by their organisers. The content gathered through the interactive digital platform is then discussed during the Citizens' Panels.

The four European Citizens' Panels, composed of 200 randomly selected citizens, will be set up following the principle of digressive proportionality so that all MS are represented from at least two citizens, one male and one female, per Panel. A professional company is responsible for selecting EU citizens via a balanced scientific approach to avoid unnecessary controversy. The Joint Declaration sets out the criteria for selection based on nationality, a balance between rural and urban representation, gender, age, socioeconomic background, and level of education. An additional essential feature is that young people between 16 and 25 will make up one-third of each Panel. The Executive Board of the Conference concluded that the topics allocated to each Panel are:

1) *values, rights, the rule of law, democracy, security;*
2) *climate change, environment and health;*
3) *a stronger economy, social justice, jobs and education, youth, culture, sport and digital transformation; and*

4) EU in the world and migration.

(European Paliament, 2021)

Each Citizens' Panel consists of three sessions lasting for two consecutive days. The Panels are to be organised before the Conference Plenary, in order for the conclusions to be included as a topic of debate. As clearly stated in the Joint Declaration, *"the panels should take on board contributions gathered in the framework of the Conference providing input to the Conference Plenary by formulating a set of recommendations for the Union to follow-up on"*.

As perfectly explained by the European Parliament on the Conference's dedicated webpage, *"the Conference Plenary will be composed of 108 representatives from the European Parliament, 54 from the Council (two per Member State) and 3 from the European Commission, as well as 108 representatives from all national Parliaments on an equal footing, and citizens. 108 citizens will participate in discussing ideas stemming from the Citizens' Panels and the Multilingual Digital Platform, along with the President of the European Youth Forum"*. The Plenary will meet at least once every six months from the launch of the Conference. Representatives of the Committee of the Regions and the Economic and Social Committee, the social partners, and civil society will also be included in this framework. The High Representative of the Union for Foreign Affairs and Security Policy will be present during the discussions on the EU's external role.

Throughout its meetings, the Plenary will submit proposals to the Executive Board, who will consequently draft a report in full collaboration and transparency with the Plenary, and which will be published on the Conference's digital platform.

4.3 Final Remarks

The ECI has been in place for almost a decade. It is the first-ever example of a participatory democracy instrument relying on the cross-border mobilisation of citizens, and that aims at reforming the relations between EU institutions and citizens. No similar mechanism exists in the international arena. For initiatives to be successful, organisers must collect over one million signatures from across EU Member States. So far, the only six initiatives have reached the threshold. An interesting observation is that the majority of ECI initiators are usually between 21 and 30 years old, showing that this e-participation tool is most engaging for younger generations. What is concerning is that the populations of only two EU countries, Lithuania and Estonia, believe that taking part in an ECI is one of the most effective ways to have the voice of EU citizens heard within European institutions (European Citizens' Initiative Forum, 2021).

The main purpose of the Conference on the Future of Europe is to enable constructive transnational debates on Europe' development in the upcoming decades. Its interactive digital platform is designed to collect the ideas and concerns of citizens overcoming language and territorial barriers. The Conference's priority is to ensure that the opinions of contributors are not lost throughout the process and that the transnational challenges identified are adequately tackled by EU institutions. The success of this democracy exercise depends on the Union's ability to facilitate ongoing debates and empower citizens throughout the deliberation process. The outcome of the European Citizens' Panels and Plenary will be presented to the Conference's Joint Presidency in 2022.

The ECI and Conference on the Future of Europe are the most promising e-participation tools implemented at the EU level. Their individual characteristics may differ but follow the same principles of participatory democracy enshrined in EU norms. However, they also present several loopholes, which have only partially been identified and addressed.

Chapter 5: Recommendations for Future Development

Promoting peace, human rights, democracy, prosperity, solidarity, food security, economic unification, equality, and environmental safety are among the EU's priorities. Many achievements have been reached in such fields; however, more shall be done to effectively respond to potential future economic, social, and environmental shocks. The COVID-19 outbreak has initially fueled the division among the EU Member States' but soon after highlighted the need for common responses and solutions to transnational challenges. In such a scenario, strengthening democracy and civic engagement is imperative.

The constant update and improvement of the e-participation tools currently in use can reinforce the EU's credibility and drive the Union's future development. The ECI and Conference on the Future of Europe are important tools to collect criticism and feedback on the Union's priorities, approaches, and existing policies. The Union needs to be open to change and ready to invest in e-democracy for citizen engagement in public deliberation. A decisive step forward will be to promptly address the ECI and Conference's weaknesses to achieve their full potential.

Chapter 5 provides an outline of the inherent shortfalls of the e-participation tools described in chapter 4. Tackling the Union's deficits through concrete actions will increase the chances of successfully strengthening the European project and EU democracy model. Sections 5.1 and 5.2 provide forward-looking recommendations on the ECI and Conference's improvement for them to become meaningful and purposeful examples of e-participation tools for civic engagement in the long run.

5.1 The European Citizens' Initiative (ECI): The Main Shortfalls and Proposals for Improvement

In March 2018, the European Commission published a report on the application of Regulation EU No 211/2011 on the citizens' initiative (COM(2018) 157 final). The content of the report built upon the technical and logistical issues identified in the 2015 Commission report, the first of its kind since the ECI's implementation. Between 2012 and 2017, a discussion forum and input gathering events, known as "ECI Days", were organised every year by the European Commission. This feedback stage led to the adoption of the first proposal for a new regulation on the Citizens' Initiative on September 13th 2017 (COM(2017) 482), to achieve the instrument's full potential. The ECI had to become "more accessible, less burdensome and easier to use for organisers and supporters" (European Commission, 2018). Thanks to public consultations and revisions, most of the ECI's main shortcomings were identified early on. These shortfalls raged from the legal admissibility of proposals to the regulation's overall inflexibility.

Once a proposal is submitted, the Commission has two months to verify whether the initiative fulfils the criteria for registration. By 2018 over 30% of the proposed initiatives did not fall under the Commission's competencies. Between 2012 and 2018, six citizens' committees have appealed to the General Court against the Commission's refusal decisions. In two of the four General Court judgements that support the Commission were brought before the Court of Justice of the EU (European Commission, 2018).

According to the 2018 Commission report, another significant challenge, as shown from the low rate of successful ECIs, was the complex process for signature collection. The differences in data requirements for signature collection harmed the instrument's overall effectiveness. The main issue was that some Member States request a large amount of personal data for identity verifications, often considered sensitive. Consequently, some EU citizens might refrain from supporting an initiative. It was observed that there were up to 13 different types of forms available for personal data collection across the EU.

At an early stage of the ECI's implementation, a considerable burden was that most organisers were building their own support collection system, including both the

software and hosting server. Moreover, the system had to be certified by the relevant Member State's authorities before proceeding with data storage. Since 2012 the Commission provided hosting servers for organisers' online collection and an open-source software free of charge. Over the years, the software has been constantly updated. The European Citizen Action Service, Democracy International, and the Initiative and Referendum Institute Europe collaborated on the creation of an Android smartphone ECI-App to keep people informed and promote awareness. Users may sign initiatives from their phones, create links with social media, and check relevant web pages, all by using the same app (ECI Support Centre, 2016). However, between 2015 and 2018, only ten initiatives used the EU's hosting device, and twelve have made use of its software (European Commission, 2018).

Public consultations evidenced that the ECI timeline was perceived as very strict, and the starting date of the one-year collection period was unclear. A complaint was filed to the Ombudsman concerning the legal interpretation of the twelve months available for the gathering of signatures. The conclusion was that according to the 2011 Regulation, the Commission should have considered the date of registration as the start of the support-collection period. This was considered particularly challenging by organisers, who also needed to set up the system for input collection within two months from the initial submission to the Commission.

The Europe Direct Contact Centers were enhanced to provide initiative organisers with better support through the twelve-month signature collection period. In 2015, the Europe Direct Contact Centers' capacities were increased, resulting in 257 successfully addressed information requests in a three-year period. The topics included general or procedural questions or comments, clarifications concerning IT tools, communication, questions on how to give support to initiatives, and specific details regarding initiatives. The European Economic Social Committee's contribution to content translation has significantly improved the communication on the ECI across EU countries (European Commission, 2018).

An additional limitation for initiators is the little funding available for those EU citizens willing to start ECIs. For transparency purposes, the initiative organisers need to report any funding source exceeding EUR 500 (both per sponsor and per year). Initiators often have to engage with legal consultants, data protection and marketing specialists,

and professional fundraisers. Among the successful ECIs, Stop Vivisection received overall funding of EUR 23,651, Right2Water EUR 140,000, One of Us EUR 159,219, Ban Glyphosate EUR 328,399, Minority Safepack EUR 348,500, and End the Cage Age EUR 392,000 (European Citizens' Initiative Forum, 2021). Without any doubt, ECI organisers need to rely extensively on financial and human resources, establish alliances and coalitions with CSOs and must have frequent contacts with the media and relevant non-governmental organisations (NGOs). These elements combined contribute to both outreach and awareness-raising, which are critical to the success of initiatives.

The ECI reform proposal brought forward by the European Commission in 2017 included consistent improvements concerning the registration procedure. More specifically, initiators would be provided with preliminary information regarding the suitability of the proposed initiative. In the event that an initiative would only be partly aligned with EU competencies, the Commission opened up the possibility for partial registration. Another essential element was the change in the start date for the collection period. Organisers would be provided with a more flexible timeline, having up to three months after the registration date to launch the online collection system. Furthermore, the time limit for successfully submitting successful initiatives at the end of the one-year collection period was yet to be established. The Commission proposed setting a deadline to avoid any confusion and uncertainty for both supporters and EU institutions responsible for providing the follow-up report.

Following the adoption of the Commission's report by the Committee on Constitutional Affairs in June, the interinstitutional negotiations on the ECI Regulation review started in July 2018 through a plenary vote. The European Parliament and Council jointly reached a political agreement in December of that same year. The final act was signed and published in the Official Journal on May 17th, 2019. The Regulation (EU) No 211/2011 was repealed by the Regulation (EU) No 2019/788, which entered into force on January 1st, 2020. In July 2020, temporary measures were adopted to address the impacts of the COVID-19 pandemic. Initiatives affected by the coronavirus outbreak were given an extension period for collecting statements of support. Since February 2021, the ECIs are provided with an extension of three months beyond the one-year deadline, adding up to a total of 18 months for signature collection.

A final criticism made to the ECI is the limited debate and impact of the initiatives, even when successful. This aspect has still not been addressed effectively by the Commission. The certainty of impact is still relatively low. Some experts believe that conducting ECIs is not cost-effective for organisers. Initiatives require significant investments, and it is often difficult to measure their mid and long-term impact (Lironi, pp. 46-47, 2016). By comparing Salm's with Berg and Thomson's suggestions to improve the ECI, the steps for future development can be summarised as follows:

- *Reducing and harmonising personal data requirements across the Member States and eliminating ID number requirements*. This measure would increase consistency among ECIs and address EU citizens' privacy concerns. Collecting e-mail addresses within the main ECI support forms, which is currently not allowed through the Commission's online collection system, would also be extremely useful for identity verifications conducted by Member States' authorities.

- *Ensuring that all EU citizens can support the ECI, wherever they live.* Online collection of statements of support can be highly effective. Nonetheless, face-to-face campaigns need to be enhanced in the Member States, where the digital divide is particularly challenging or lacking Internet access. Moreover, EU nationals residing abroad may be denied the opportunity to sign an ECI since national regulations in some Member States only allow persons to sign an ECI in their country of origin, not in their country of residency.

- *Lowering the age of ECI supporters to 16 years of age*. There is currently much debate on the lowering of the voting age in various EU countries. The European Commission shall consider allowing younger citizens to participate in public debates through the ECI to give younger generations the ability to shape their future.

- *Redesigning the online signature collection system*. Increasing the transparency and user-friendliness of web pages and mobile applications must to go hand in hand with quality translations in the greatest possible number of EU languages. Given the crucial role of communication in political participation, the spreading of information regarding ECIs is a crucial point for investment.

- *Letting the ECI initiators choose the launch date for the signature collection.* Since 2020, the deadline for the collection was extended to 18 months. However,

according to the field of action, ECI campaigns might need more or less time to conduct an effective awareness-raising campaign. Hence, providing greater flexibility in planning the ECI's schedule (even beyond the 18-month timeframe) could significantly increase the number of successful initiatives. Increasing public and media awareness of the registered initiatives must become a priority, as the ECI is still not a popular tool for civic engagement despite its nine years of implementation (European Citizens' Initiative Forum, 2020).

- *Provide an EU legal status for the ECI citizens' committees.* At least seven members of a citizens' committee from at least seven distinct Member States must act as natural persons while organising an ECI. As a result, individual members of the citizens' committee may be held personally responsible for any damage created during an ongoing ECI, such as damage caused by improper treatment and processing of supporters' personal data (i.e. data protection breaches). Furthermore, the fact that members of the ECI citizens' committee have the legal status of natural people may make it difficult to raise funds for an initiative. These and other legal and practical difficulties arising from the ECI citizens' committee's lack of legal standing may dissuade potential initiators from launching an ECI. Furthermore, this reform proposal can further strengthen trans-European civil society by allowing citizen's committees to become independent organisations operating throughout the Union's whole territory, maybe even beyond the scope of the single initiative.

- *Remove or modify the first admissibility check for initiative registration.* Because the Commission has discretion in interpreting and applying this clause, it has taken a relatively passive and restricted approach to its powers in determining an ECI's legal admissibility at the registration stage. Furthermore, the Commission frequently fails to explain why it rejects one or more proposed ECIs. The impacts of the only partial registration of initiatives implemented in 2020 are yet to be evaluated.

(Hennen et al., 2020) (Salm, 2018) (Lironi, 2016) (Berg & Thomason, 2014)

5.2 The Conference on the Future of Europe: The Main Shortfalls and Forward-looking Remarks

Given the poor performance of e-participation tools used in previous years, the Conference on the Future of Europe has attracted widespread criticism. Sceptics can be found not only among EU citizens but also among national and EU officials. In many e-participation initiatives, the endeavour was well-intended; however, they either had little to no impact or did not spark enough interest in EU citizens.

In 2017, the European Economic and Social Committee conducted 27 national consultations on the future of Europe, which led to the adoption of the European Commission's White Paper on the future of Europe and beyond. However, only 1003 representatives of civil society organisations took part in the debates. The Commission and MEPs disseminated the results and attended an interparliamentary meeting in October 2017. The European Council discussed the results; however, the consultations' outcome was very quickly forgotten and had no significant follow-up. On May 4th 2021, the Centre of European Policy Studies (CEPS) organised a webinar on the prospects of the Conference on the Future of Europe. The participant's panel was comprised of Dubravka Šuica[6], Karoline Edtstadler[7], Daniel Freund[8], and Ilke Toygur[9]. The expert's discussion was focused on the three EU institutions expectations on the Conference's outcomes, on comparing the Conference on the Future of Europe to the past European citizens' consultations, and on the outlooks for future citizens' engagement in EU policies (CEPS, 2021).

During the CEPS webinar it was made clear that the Future of Europe Conference did not start in a favourable environment. When the Conference was first included in the

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[6] Dubravka Šuica is the European Commission Vice-President for Democracy and Demography and is part of the Executive Board of the Conference on the Future of Europe. She is responsible for leading the Commission's work on deliberative democracy and the Conference on the Future of Europe, giving people a say on how the EU is run and what it does.

[7] Karoline Edtstadler is the Austrian Minister for Constitutional and European Affairs, who was involved in the development of the European Council's position on the Conference.

[8] Daniel Freund is a Member of the European Parliament elected in 2019, belonging to the Greens political group and also part of the Executive Board of the Conference on the Future of Europe.

[9] Ilke Toygur is an analyst at the Arcana Royal Institute and Professor at the University of Madrid.

plan of newly appointed European Commission President Ursula Von der Leyen, in July 2019, the Covid-19 outbreak was still unexpected. In December of that same year, the German presidency had launched the informal start of the Conference during the European Council's meeting, including young European ambassadors and representatives of the Western Balkan countries. Soon after, the pandemic shifted the Union's priorities and those of its Member States. During the first months of 2020, beyond the French President Emmanuel Macron, often referred to as the mind behind the Conference, the rest of the Heads of State and Government did not look particularly involved (Karoline Edstadler, 2021). However, the Council soon realised that Covid-19 would have soon led to significant changes in EU structure and policies, and that launching the Conference represented a unique chance to bring Europe closer to its citizens . In order to foster and adapt to the upcoming reforms, the Council recognised that the Conference would be the best instrument to open up and act upon the requests of EU citizens. Building on this commitment, today the European Council sees an excellent opportunity for EU countries to mobilise debate even beyond its organised context (Karoline Edstadler, 2021). Every Member State can bring forward topics and points that are particularly relevant in their national sphere, thanks to which the Council will be able to map the needs of each country within the Conference's framework.

From the European Commission's perspective, the main goal is to ensure that civic engagement is achieved through the interactive multilingual digital platform. Provided that citizens' participation was not always guaranteed in the past, receiving a balanced amount of contributions from across the Member States will be a priority.[10] To achieve this goal, the Commission is promoting the digital platform intensely to reach those people who do not usually interact with civic participation instruments and are distant from such realities (Dubravka Šuica, May 2021).

The European Parliament has high expectations of the outcomes of the Conference on the Future of Europe for two main reasons. First, it represents a significant opportunity to open up the debate to the public by discussing topics usually confined within the walls of institutions. Second, the Conference will provide guidance on matters

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[10] EU Member States with a broader range of think tanks, research centres, and a more active civil society usually give a larger contribution in public consultations on EU policies (see European Citizens' Initiative Forum, pp. 5, 2021).

of public interest in view of the 2024 European elections. Moreover, the Parliament is looking forward to including regional and national parliaments beyond usual in the EU policy-making processes. During the CEPS webinar, Minister Edtstadler underlined the Parliaments' commitment to become a mobiliser of all national parliaments across Europe and work closely with its youth networks. Young people will also be an important area of focus throughout the Conference, as they will play a key role in boosting participation in the upcoming elections.

During the CEPS webinar held in May, all the panellists underlined the importance of interinstitutional cooperation. Every EU institution will have their share of responsibilities regarding citizens, national and regional governments, civil society, and organisations that contribute to fostering European democracy. There was a general agreement that the Union shall be open even to treaty changes if addressing the needs of EU citizens so requires. All institutions are looking forward to fostering public debate on a series of heated topics, which are being addressed even outside the Conference's framework. Particularly relevant are some key institutional improvements, including the appointment of the Commission President and the issue of transnational lists at the European elections (CEPS, 2021). Nonetheless, Vice-President Šuica underlined that EU citizens are more interested in issues affecting their everyday lives rather than in changing the institutional architecture of the Union.

Another aspect to consider, when analysing the possible impacts of the Conference on the Future of Europe, is what differentiates this initiative from the previous experiences with e-participation at the EU level. The difference is claimed to be consistent. Communication and shared responsibility have become the keywords for success. The Joint declaration outlines how the Directorate Generals for Communication in the European Council, Parliament, and Commission will interact and cooperate closely for a common objective. Responsibilities will be shared among all actors taking part in the Conference to build a strong sense of shared ownership and ensure the accountability of stakeholders over the process (Šuica, 2021).

Establishing an effective and innovative feedback system for citizens' contributions was one of the Conference's priorities. Organisers of upcoming local events on the Future of Europe subscribe to the digital platform and adhere to the Charter to ensure consistency and compliance with the Conference's values. The conclusions drawn

during the local events are uploaded to the platform to be publicly available. The platform moderators then analyse the results of the local awareness-raising and input-gathering events and the individual proposals collected on the platform. This initial stage will culminate with drafting a report to be sent to the the European Citizens' Panels for further discussion. The conclusions drawn from the Panels' debate will be collected in a new report sent to the Conference Plenary. At that stage, the Conference's Executive Board will create a synthesis of the Plenary's discussion before finally presenting the outcomes to the Joint Presidency of the European Parliament and the Commission. The three EU institutions together will then take the required decisions for further action to address the will of EU citizens (Freund, 2021). These radical changes in the feedback mechanism are thought to ensure adequate follow-up to the Conference and that the inputs gathered throughout the process will not be lost (Šuica, Edtstadler, and Freund, 2021).

For the Conference to be successful, the Union's institutions will have to closely monitor its processes to ensure that the initiative is genuinely inclusive, engaging, and fair towards all citizens. The recommended measures are the following:

- *Ensure that the European Citizens' Panels are truly representative of the population*. The European Parliament has championed the Citizens' Panels comprised of randomly selected citizens and advocates giving them space to deliberate on their proposals adequately. Additionally, Daniel Freund highlighted how thorough and ongoing public engagement is the real gamechanger: citizens make propositions and voice their concerns and develop solutions through a series of structured and systematic discussions.

- *Organise the largest possible amount of in-person local events to boost the Conference's outreach*. The multilingual digital platform has been described in the media as the "Facebook of European policies" (CEPS, 2021). Nevertheless, the engagement process needs to be overseen in order to foster constructive transnational debates. The digital platform designed for the Conference is much more user-friendly than both the ECI mobile application and of the petitions' website to the European Parliament (Freund, 2021). The endorsement and voting element included in the Conference's platform has the potential of making it more

interactive. Nonetheless, it is crucial to remember that the Conference on the Future of Europe comes in a hybrid format.

- *Allow citizens to take a stance on the final results through majority voting.* The extent to which EU citizens will be involved in deliberations is still a topic of discussion. Within the Conference framework, the final conclusions are expected to be drawn by the Executive Board. However, provided that civic engagement is the ultimate purpose of this initiative, it is clear that the Plenary shall have a say in those decisions. The voting procedure will be decided internally, respectively, by each pillar of the Conference Plenary. It will also be essential for EU officials not to influence the debates taking place within the Conference. As the Joint declaration states, "[the] Conference Plenary will ensure that the recommendations from the national and European citizens' panels, grouped by themes, are debated without a predetermined outcome and without limiting the scope to pre-defined policy areas". Public scrutiny will play an essential role in upholding the commitments outlined in the Joint declaration. It will be crucial to find a workable balance among all stakeholders within the Plenary sessions, always keeping in mind that the Conference shall be led, most and foremost, by the citizens.

- *Ensure EU institutions will provide their best interpretation to give enough voice and power to the Conference Plenary.* The Conference is invited to reach conclusions by spring 2022 to provide guidance on the Future of Europe. The outcome of the Conference will be presented in a report to the Joint Presidency who, as stated in the declaration, "will examine swiftly how to follow up effectively to this report, each within their own sphere of competences and in accordance with the Treaties".

- *Create new expert panels to interpret what citizens want through existing and future surveys.* Continuity will be essential to ensure that the Conference on the Future of Europe will not be an isolated democracy exercise without any substantial impact on the EU's political agenda. The Special Eurobarometer 500 survey on the Future of Europe showed that 92% of respondents agree that EU citizens' voices should be heard more in decisions on Europe's future (Eurobarometer, 2021). This is just one of the many indicators that must be closely

monitored to assess the impact of e-participation and EU citizens' concerns in the upcoming years.

- *Foster the digitalisation of services across Europe more intensely*. Enhancing the link between the ideas submitted by citizens and feedback coming from EU institutions will be crucial to success. In this process, digitalisation represents an interesting challenge. The Conference serves as a contact point between the second and sixth European Commission priorities for 2019-2024: a "Europe fit for the Digital Age" and "a new push for European democracy and Digital Europe". The EU needs to invest in developing new or enhancing e-participation tools while working on closing the digital divide.

- *Enhance the role of Member States' parliaments within the Conference's framework*. Alongside EU citizens, Member States' parliaments will play a key role in bringing national realities closer to the EU's institutions. The Joint declaration ensures that representatives of national parliaments are given observer status in the Conference's Executive Board. The successful inclusion of regional and local authorities, the Committee of the Regions, and the European Economic and Social Committee will need to be monitored closely.

- *E-participation at the EU level shall be implemented as an alternative to traditional means for civic engagement without replacing in-person events, such as conferences, assemblies and consultations*. The digital tools developed in e-democracy have the potential to attract new opinions and ideas, especially younger generations. The Conference's interactive digital platform is the first of its kind to allow transnational debates, proving to be effective beyond the limits of space and time. Such platforms shall become permanent tools to systematically evaluate common trends arising from ongoing discussions on EU public policies. Making effective use of e-participation tools can show the way forward for future structural reforms. It can highlight the common denominators among the concerns of the Member States and their citizens. It will be necessary for citizens to feel ownership over the Conference's outcomes already when the intermediate results will be available in 2022. Given that the EU is the first to use such an exercise for participative democracy, having positive and measurable impacts will be crucial to pave the way for the future development of e-participation.

- *Trans-European issues shall be prioritised over national agendas.* Despite being widely recognised as a positive endeavour, the media has highlighted two main arguments against the Conference on the Future of Europe. First, the policy areas the Conference is aiming to address are excessively broad. The EU may fail to map out a detailed response due to the large number of matters to be tackled altogether (Leigh, 2021). Second and consequently, the outcomes of the Conference could be formulated in grand statements that would reiterate the EU's principles articulated in preexisting policy statements, resolutions, and action plans. Little difference is seen in the EU's current instruments to monitor citizens' opinions, including think tank analyses, civil society campaigns, European Council summits, and European Parliamentary election polls and campaigns (Baneth, 2021). To address these challenges, the EU must establish a system to select the most feasible and relevant ideas to take concrete legislative action in few key areas. The digital platform moderators will be responsible for this task; however, the EU institutions must give detailed instructions on selecting ideas, ensuring that the process is completely impartial. Narrowing down the scope of the EU's actions will contribute to developing detailed proposals and concrete action plans for the Joint Presidency to agree on applicable measures that will have a tangible outcome for EU citizens. Suggestions must be translated into legislative proposals and, as the Conference gives EU institutions an open mandate for change, the Union shall also be ready for treaty changes if the EU citizens so desire.

- *Establish permanent citizens' assemblies.* The permanent assemblies shall ensure a balanced composition representing the whole spectrum of society, including private citizens, representatives of CSOs, NGOs, youth organisations, businesses, and academia. This framework would allow identifying new emerging challenges early on, improving the adaptability and flexibility of the Union in addressing health, economic, environmental and security crises. In 2021-2022, the EU shall concentrate on facilitating the correct information and participation of the widest possible public opinion on the challenges at stake, as well as implementing considerable improvements in the democratic functioning of the Union. Acting with the broadest possible consensus and heavily relying on the guidance of

citizens can build legitimacy around the EU's institutions decisions. The permanent citizens' assemblies shall be one per each priority of the European Commission, to be extended beyond 2024:

- *A European Green Deal,*
- *A Europe fit for the digital age,*
- *An economy that works for people,*
- *A stronger Europe in the world,*
- *Promoting our European way of life,*
- *A new push for European democracy.*

5.3 Final Remarks

The ECI and Conference on the Future of Europe are opportunities for significant innovation in the European public sphere. Undoubtedly, these tools are changing public deliberation processes by challenging current decision-making processes. Their structure and mechanisms are to be closely monitored and improved but represent vital experiments to prove the worth of e-participation as a concept.

The ECI reforms the traditional terms of engagement of EU-civil society by giving more relevance to collective action. The awareness-raising campaigns carried out by initiative organisers contribute to bringing debates on the EU closer to citizens than offering direct dialogue with institutions. The ECI targets civil society organisations that have not engaged with EU institutions so far and did not feel close enough to the EU's agenda. Despite the improvements achieved through the 2018 Regulation revisions, the issue of financial support and the demanding responsibilities of promoters is likely to emerge again in future debates on the ECI regulation.

The Conference on the Future of Europe aims to shift the selection of agenda topics from institutions to citizens. Its goal is to inspire, based on European values and ideals of integration and solidarity. The Conference wants to take e-participation a step further, showing how such tools can effectively improve democratic processes within the EU. In fact, the Conference does not only aim at collecting citizens' opinions on the future of Europe but also wishes to establish ongoing feedback channels on reform proposals.

By actively promoting inclusiveness, transparency, and ongoing engagement, the Conference can become an example for e-participation tools worldwide.

It is essential to consider that the ECI and Conference on the Future of Europe will not replace existing mechanisms for dialogue with civil society. The Union's institutions will have a broader range of channels to get a sense of civil society's expectations of the EU. Furthermore, e-participation needs to be complemented by other measures to further foster digitalisation, social inclusion and cross-border cooperation. European societies must see the positive, concrete and measurable results of e-participation to give impetus to the future development of the Union. EU citizens need to be given more value in defining a clear mandate for institutions. E-participation can be a definite advantage for the European Commission to elaborate practical steps to move Europe forward. Civic engagement in the European public sphere must be encouraged and needs to be supported by clear actions and reform implementation. E-participation allows citizens to establish shared priorities, and the Union must take action to generate prosperity and create opportunities accordingly.

Conclusions

In 2004, the Council of Europe adopted a first recommendation on e-governance (Rec(2004)15), which saw ICT as an opportunity to strengthen citizen participation while ensuring transparency and responsiveness of democratic institutions. Since then, the EU has been striving to develop new e-democracy tools to offer citizens new opportunities to interact with public authorities, express their views, debate issues of public importance and influence decision-making (Council of Europe, pp.22, 2004).

The conclusions drawn following the review of the most recent studies in the field of civic engagement, suggest that the development of e-democracy must be accompanied by other measures to increase citizens confidence in institutions. Given the central role of the government, as either the initiator, moderator and receiver of e-participation initiatives, making public services more accessible and tailored to people's needs shall be a priority both at the national and international levels. Equally important is the implementation of structural reforms aimed at improving transparency and accountability within institutions. Moreover, EU institutions and Member States shall advocate spreading the participatory democracy values enshrined in EU norms. In the 1970s, Pateman and Macpherson underlined that collective formation of opinions and political views, crucial for participatory democracy, must be achieved through discussion and education. The European Commission shall continue to expand its knowledge and improve its strategies to foster digital literacy. Concurrently, all EU citizens shall be provided with unrestricted access to education and quality training to develop critical and lateral thinking skills. Such a combination of provisions would increase citizen engagement in democratic life, contributing to better governance and effectiveness of public policies. Adopting a new holistic and multifaceted approach is crucial to achieving a genuinely participative democracy based on education, accountability, accessibility, empowerment, and inclusion.

Provided the unsuccessful history of online public consultations, the existing literature tends to support the democratic potential of social media. While it can be argued that social media can effectively narrow the gap between citizens and policymakers, they are also responsible for the polarisation of political debate and the spreading of hate speech. An additional decisive shortfall is the economisation of users' data as a guiding

principle for social media platform development. Strategic choice architecture, algorithmic content curation, microtargeting, and misinformation are four pressure points that heavily influence users' behaviour on social media. Users tend to adopt addictive behaviours and are often overexposed to polarised and controversial content (Lewandowsky et al., 2020). Political communication that takes advantage of the inherent bias of social media undermines the foundations of democratic choice.

In contrast, the primary purpose of e-participation is the use of interactions for the realisation of participatory democracy principles enshrined in national and supranational law. The EU shall promote the right of all citizens to political participation in all its Member States, restricting any influence on public discussions exerted by national public authorities. ICT and CMC can effectively upgrade the quality of democratic processes. The ongoing digitalisation and technological development shall be embraced transnationally to create a new European public sphere. E-democracy and e-participation are fundamental elements for a successful and comprehensive digital transition.

The ECI and Conference on the Future of Europe are the most recent expressions of the EU's efforts to reform its e-governance structures. Both instruments have been criticised due to issues with accessibility and inclusiveness and lack of flexibility. Furthermore, the impact of past initiatives and consultations carried out by the Union's institutions was little to none. To increase the ECI's efficacy, the EU must offer extensive support in advertising initiatives while making the registration and signature collection processes more flexible and coherent across the Member States. The EU shall also provide successful initiatives with adequate and timely follow-up to harness the proposals' momentum. At the same time, EU institutions must adequately monitor the processes established within the Conference on the Future of Europe to ensure that the initiatives are genuinely inclusive and engaging. It will be crucial to develop feasible measures to address the citizens' ideas collected through the multilingual digital platform and take concrete legislative action on trans-European issues. Additionally, establishing permanent citizens' assemblies on each of the European Commission's priorities would ensure continuity of debates on public policies. Being open to Treaty changes and installing a new framework to promptly address emerging social challenges will be pivotal to achieve resilience and stability within the Union.

Internet-based participation tools are yet to be exploited to their full potential. Despite the wide range of digitalisation strategies adopted and the significant improvements in the design and operability of e-participation tools, e-democracy is still not popular among EU citizens. Four main issues need to be tackled from a legislative perspective. First is providing more flexibility around budget limitations and potential policy failure in the digital transition. Second is establishing boundaries between over and under-regulation of new technologies such as AI, CI, and sentiment analysis. An additional pressing issue is how to avoid social exclusion and the polarisation of online debates. Lastly, finding a balance between the right to privacy and the increasing amount of user's data shared with public administrations and big tech companies will be vital to the success of e-participation instruments.

On the other hand, the EU must also conduct further research in field of e-democracy through non-legislative measures. First, the EU must develop a strategy to ensure that e-participation development is an ongoing learning process. Moreover, young people need to be further integrated in the decision-making processes in all EU countries. The Union could set the example by engaging more extensively with youth organisations to agree on the creation of more structured and effective channels for communication with institutions. A final recommendation is to launch consultations on potential participatory budgeting mechanisms, often referred to as the last frontier of e-participation. Allowing EU citizens to discuss and select public spending projects at the EU level, could turn out to one of the most significant innovations in democratic deliberation.

Giving citizens' concerns and proposals a concrete legislative response is imperative. Increasing citizens' sense of ownership over European policy development using e-participation can significantly contribute to strengthening European identity and enhancing cross-border cooperation between EU citizens and local and national governments. E-governance can achieve full citizens involvement, complete openness and transparency in decision-making, and empower a truly democratic society.

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