

Preparing the Conference on the Future of Europe

SUMMARY

After the many debates and declarations of principles on the future of Europe of recent years, the time for a more structured reflection on the future of Europe's development has arrived. The new President of the European Commission, Ursula von der Leyen has pledged to establish a Conference on the Future of Europe, in an effort to give new impulse to European construction and bring Europe closer to citizens. At this stage, details of this initiative are still up for discussion. For Dubravka Šuica, the Commissioner who will take charge of the process, the inclusion of all citizens' voices will be an essential characteristic of the Conference. However, how to ensure that European citizens are properly represented remains to be clarified.

Preparation of the Conference, in von der Leyen's approach, will follow three steps: first, the elaboration of the concept, structure, timing and scope with Parliament and Council; then, design of a means to ensure that citizens participate as much as possible, including by fostering online participation for younger people; and last, making sure that appropriate follow-up is provided to the actions agreed by the Conference.

The Parliament has created a working group to contribute to the design of the Conference, in particular in respect of its structure, with a view to a vote in plenary. Parliament's Committee on Constitutional Affairs (AFCO) has also launched discussions, confirming the eagerness of Parliament and its political bodies to play an active part from the beginning of this process.

The Conference on the Future of Europe should be an excellent opportunity to engage in more structured debate, with the intention to find concrete proposals to improve the way in which the EU works not only in terms of institutional dynamics, but also of its policies. Some have however cautioned that the initiative needs to be carried out with the utmost care, in particular on the follow-up to be given to its outcomes, so that it can remain a meaningful endeavour.



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Announcement of the Conference on the Future of Europe

Aware of the divide between the EU and civil society which has grown in recent years, and encouraged by the rise in turnout in the May 2019 European elections, the new European Commission President, Ursula Von der Leyen, in her [opening statement](#) ('A new push for European Democracy') delivered on 16 July 2019 before her election by Parliament, expressed the wish to involve European citizens as a part of a broader renewed impulse of European democracy.

This resolve was confirmed in the [Political Guidelines](#) for the next European Commission (pages 19-20), in which von der Leyen pledged:

I want Europeans to build the future of our Union. They should play a leading and active part in setting our priorities and our level of ambition. I want citizens to have their say at a Conference on the Future of Europe, to start in 2020 and run for two years. The Conference should bring together citizens, including a significant role for young people, civil society and European institutions as equal partners. The Conference should be well prepared with a clear scope and clear objectives, agreed between the Parliament, the Council and the Commission.

Von der Leyen declared herself open to the Conference being chaired by a Member of Parliament.

In the September [mission letter](#) from von der Leyen to the Vice-President-designate for Democracy and Demography, Dubravka Šuica, the statement of intent of the political guidelines was fleshed out. The idea, expanded in the mission letter, is to push for more democratic participation of EU citizens in how the Union is run and what it delivers on.

The Conference of Europe which should ideally run for two years, should 'bring together citizens of all ages from across our Union, as well as civil society and European institutions'. A further important characteristic of the Conference should be, in the vision of von der Leyen, that it should provide for a 'wide debate, clear objectives and a tangible follow-up on what is agreed.' The purpose is to offer an inclusive platform, where the major concerns of citizens can be freely expressed and be taken into account in the work of the institutions.

To bring the initiative to life, von der Leyen suggests three steps. First, to elaborate a concept, structure, timing and scope of the Conference, in cooperation with Parliament and Council. Then, to ensure the highest possible degree of participation in the Commission's 'citizens' dialogues', by facilitating in person and online participation. And, finally, to ensure adequate follow-up to the actions agreed by the Conference, with Šuica working in conjunction with the Vice-President for [Interinstitutional relations and Foresight](#) (Maroš Šefčovič) and the Vice-President for [Values and Transparency](#) (Věra Jourová).

Commissioner Šuica's vision

In her [written answers](#) submitted to Parliament ahead of her 3 October [hearing](#) before the Committees for Constitutional Affairs and Employment, Šuica set out her broader vision on this initiative, and added further details on the way forward. She first gave great emphasis to the inclusive character of the Conference, which should ensure that all voices of citizens are heard. Ideally, the Conference on the future of Europe should be an exercise that involves and listens to a cross-section of society, giving citizens the possibility to shape European policies. She also gave great emphasis to the participation of [local and regional authorities](#) in the process that the Conference will establish. The Conference should start in 2020 and run for two years, in parallel not only with visits of Commissioners to Member States but also with citizens' dialogues, of which a hundred have already taken place, under the outgoing Commission, in 635 locations.

The first steps should focus on having Parliament and Council agree on a concept, structure, timing, and scope of the Conference. Šuica committed to provide ideas for discussion for this purpose, expressing the wish that the choice of topics is broad enough to accommodate the wishes of

European citizens and institutions. The Commission is meant to act as an honest broker in this context, by fostering discussions among the actors involved.

One interesting aspect put forward by Šuica is that the issues of [Spitzenkandidaten](#) and transnational lists would be part of the Conference's remit, within a separate working strand. On these two issues, the Conference should ideally work as a matter of priority in order to produce a proposal by summer 2020. This approach and timeline was confirmed by [Věra Jourová](#), Vice-President for Values and Transparency, who in her [written answers](#) to the European Parliament said that dealing early with these two issues, with proposals by summer 2020, would enable new measures to be put in place for the 2024 elections. Jourová and Šuica will coordinate their respective work, with Šuica responsible of the overall process involving the Conference while Jourová will focus on the issue of [Spitzenkandidaten](#) and transnational lists on behalf of the Commission. Jourová will also support Parliament in amending the European electoral law.

In terms of outcome and the way forward after the conclusion of the Conference, Šuica noted that von der Leyen had declared herself ready to follow up on the conclusions through legislative initiatives in the second half of the Commission's mandate. In Šuica's opinion, exploiting the potential of the existing Treaties remains the preferred option before resorting to Treaty changes, as indicated in von der Leyen's Political Guidelines.

State of play of the Conference

Even before the Parliament's vote to confirm the Commission in [plenary](#) on 27 November, high-level preparations on the Conference on the Future of Europe had already started.

With the start of the Conference not far off, it is expected that the new Commission will set out its position on the scope and structure, and on a general roadmap for the Conference soon after taking office on 1 December.

In the meantime, the European Parliament has already started high-level reflections on the scope and framework of the Conference on the Future of Europe, with the intention to play a leading role.

A [Working Group](#) has been created to define Parliament's position on the structure and organisation of the Conference. This working group will prepare proposals for Parliament's approach to the organisation of the Conference on the Future of Europe. It is composed of one representative per political group, as well as a representative of the AFCO committee. The following members make up the working group: the President of Parliament, David Sassoli, Paulo Rangel (EPP), Gabriele Bischoff (S&D), Guy Verhofstadt (Renew), Daniel Freund (Greens/EFA), Gunnar Beck (ID), Zdzisław Krasnodebski (ECR), and Helmut Scholz (GUE/NGL). Pending the appointment of the AFCO representative, the role will be covered *pro tempore* by Antonio Tajani, President of the AFCO committee. This working group will meet on a [regular basis](#) in the coming months.

Meanwhile, the [AFCO committee](#) has also started debating the way forward, and how to shape the structure and scope of the Conference. Ideas raised have, in particular, covered the possibilities for involving citizens, representatives of civil society and national parliaments, although on this last aspect not all voices have been convergent. Where the involvement of citizens has been invoked, some have underlined that the criteria for selection would be important in ensuring inclusive participation in respect of diversity and gender balance. Also the difficulty of ensuring appropriate representation, which is a different concept to the notion of participation, will be a challenge. Fostering a bottom-up approach rather than a top-down one is favoured.

In terms of possible topics that could be covered within the Conference, discussion within the AFCO committee raised the idea that the work of the Conference could touch upon topics that had been tackled during the last legislative term in addition to others of interest to Parliament. High-level ideas mentioned during AFCO's discussion have included the issue of the legislative initiative of Parliament, Council as a second chamber, the rule of law, qualified majority voting in Council, [Spitzenkandidaten](#), transnational lists, economic governance, social policies, the transparency

register, and an independent ethics body. Some Members warned however against too ambitious a programme, and observed that some topics would have a cross-cutting character.

[Commentators](#) have welcomed the initiative, considering it a sign of reformist spirit in the new Commission and giving [concrete ideas](#) on timing and route. Some [others](#) note that a relevant aspect of the Conference should not just be the process of debating, but also of taking stock of the outcome in a meaningful way, and [warn](#) of the risk of launching 'grandiloquent initiatives that fail to deliver meaningful and tangible change'.

Parliament's working group is likely to make known its position on a possible methodology of the Conference before the end of the year, while the AFCO committee is working on a draft resolution setting out the topics that Members want to see covered in the Conference's debates. The intention would be to have a resolution of Parliament voted in plenary as soon as possible, although that is unlikely to be before the January plenary session.

As for the Member States, the European Council is expected to discuss the Conference during its meeting on 12-13 December. In advance of that, the French and German governments set out proposals in a [non-paper](#), which suggests that the three institutions should agree on a mandate for the Conference as early as January 2020, and that a short first phase should address democratic/institutional questions. Following that, a second phase, starting after summer 2020, should look at policy priorities, with a view to concluding - with tangible and concrete results before mid-2022.

A look back: 2002 Convention on the Future of Europe

In view of the large number of countries expected to join the EU beyond the 1990s, and although some of the unfinished reforms of the Amsterdam Treaty (the 'Amsterdam leftovers') were tackled with the Nice Treaty (2001), the need for reforms was made clear in the European Council's '[Nice Declaration](#)' ([December 2000](#)) (Declaration No 23 annexed to the Nice Treaty), with a deeper and wider debate called for on some crucial aspects of EU governance, such as delimitation of powers of the EU, status of the Charter of Fundamental Rights, simplification of the Treaties and the role of national parliaments. A year later, in the [Laeken Declaration](#) (December 2001), EU leaders expressed the need for major institutional reforms spanning, inter alia, from the rationalisation of legislative instruments, to the preservation of the institutional balance and clarification of the competences between Member States and the Union. The [Laeken Declaration](#) for that purpose established a [Convention on the Future of Europe](#) – drawing on the successful [Convention](#) that had drafted the Charter of Fundamental Rights – mandated to 'consider the key issues arising for the Union's future development and try to identify the various possible responses'. Ultimately the Convention was tasked to draw up a final document, meant to contain either options or recommendations for future reforms. This document would ideally serve as a basis for discussion within a subsequent Intergovernmental Conference intended to reform the Treaties.

The [Convention](#) started work on 28 February 2002. In addition to the chair (Valéry Giscard D'Estaing) and two vice-chairs (Giuliano Amato and Jean-Luc Dehaene), it comprised the following participants:

- 15 representatives of the Heads of State or Government of the Member States (one from each Member State),
- 13 representatives of the Heads of State or Government of the candidate States (1 per candidate State), but their participation was not to prevent consensus which might emerge among Member States,
- 30 representatives of the national parliaments of the Member States (two from each Member State),
- 26 representatives of the national parliaments of the candidate States (two from each candidate State),

- 16 members of the European Parliament,
- 2 representatives of the European Commission.

In addition, a number participated with observer status:

- 3 representatives of the Economic and Social Committee,
- 6 representatives of the Committee of the Region,
- 3 representatives of the social partners
- the European Ombudsman.

The composition of the Convention therefore amounted to a total of 105 members (excluding alternate members). The Convention established a Praesidium to provide impetus and an initial working basis for the Convention. The Praesidium, whose work was not public, was composed of the chair, vice-chairs and nine members drawn from the Convention (the representatives of the three governments holding the Council Presidency during the Convention, two national parliament representatives, two European Parliament representatives and two Commission representatives). A Secretariat assisted both the Convention and the Praesidium. The Laeken Declaration provided also that a Forum would be opened for organisations representing civil society (the social partners, the business world, non-governmental organisations, academia, etc.). This Forum would take the form of a structured network of organisations receiving regular information on the Convention's proceedings. Such organisations would be heard or consulted on specific topics in accordance with arrangements to be established by the Praesidium. The Convention also featured a Youth Convention, meant to present its own [conclusions](#).

The [work](#) of the Convention was relatively condensed into a timespan of one and a half year. After a first phase of 'listening' which lasted six to seven months, and where the various positions could be expressed in public debates, the Convention presented an outline of topics that were soon to be labelled a 'Constitutional treaty'. In a subsequent phase, draft provisions and amendments were worked upon until a 'final draft' was delivered to the European Council meeting in Thessaloniki on 20 June 2003. Following a majority vote of the Convention at its last plenary on 10 July 2003, the text approved by the Convention ([draft Treaty establishing a Constitution for Europe](#)) was transmitted to the President of the European Council on 18 July 2003.

The Treaty establishing a Constitution for Europe built on the Convention's work, with further negotiations between October 2003 and June 2004 within the [Intergovernmental Conference](#). It was signed by representatives of the Member States, and adopted by the [European Parliament](#). During the process of ratification in Member States, referendums were held in several countries, with the Treaty establishing a Constitution for Europe rejected in France ([54.7%](#)) and the Netherlands ([61.6%](#)) thus preventing the Treaty from entering into force. Later, in 2007, the Lisbon Treaty was adopted, and that entered into force on 1 December 2009.

Past experiences of citizens' consultation

Several initiatives involving citizens' consultations have been undertaken under the Juncker Commission, which gave new impulse to the broader debate with the March 2017 [White Paper](#) on the Future of Europe. An online consultation of citizens on the Future of Europe was launched in May 2018, where a [questionnaire](#) of 12 questions, designed by a panel of 96 citizens, gave – and still does – the opportunity to citizens to express their expectations, concerns and hopes. In addition, [Citizens' Dialogue conferences](#) took place under Jean-Claude Juncker's Presidency, involving the President of the Commission, the Commissioners and other staff members of the Commission and covering a wide range of policy areas. These were town-hall style debates carried out in line with Juncker's invitation to members of the College of Commissioners to be politically active in communicating the common agenda to citizens and listening to common concerns coming from them. The 2019 [Report](#) on Citizens' Dialogue and Citizen's Consultation was delivered to the EU-27 leaders as material for reflection in view of the Sibiu meeting of 9 May 2019. Upon the initiative of French President Emmanuel Macron, the European Citizens consultation was launched, and took

place between April and October 2018. This was made up mainly of debates at national level carried out under a high-level [EU framework](#), with great [freedom](#) left to Member States as to how the debates should take place.

Debates with citizens had also been carried out during José Manuel Barroso's presidency, with [51 Citizens' Dialogues](#) taking place in every EU country, while a final pan-European debate took place in Brussels, with participants from all the cities that had organised a debate, and with the [participation](#) of the President of the Commission, the Commissioners and representatives of the European Parliament and national and local politicians.

Opinions of citizens are also regularly considered through the [Eurobarometer](#) survey on the Future of Europe.

The broader debate on the Future of Europe

The announced Conference on the Future of Europe represents a more formalised and structured continuation of the series of initiatives that have been engaged in recent years. The issue of 'reforming Europe' is not a new one, and has been widely discussed in terms of reforming the institutional setting and individual policies, and injecting more democratic participation to how the Union works. Contributions to that debate have been numerous, from scholars, think-tanks, and institutional actors, as well as Member States, individually or in groups.

The European Parliament was the first to offer a substantial contribution, in terms of ideas ranging from less difficult initiatives to more far-reaching proposals for reforms, with two resolutions adopted on 16 February 2017. In its first [resolution](#), Parliament intended to build on the 'unused potential' of the Lisbon Treaty by, for instance, limiting the intergovernmental approach; proposing a shift from unanimity to qualified majority voting through the use of *passerelle* clauses by the European Council; making more frequent use of its own right of legislative initiative; strengthening its political scrutiny over the Commission; reducing the number of Council configurations and transforming the Council into a true legislative chamber. In the second [resolution](#), Parliament's proposals were more far-reaching since most of them would require Treaty changes, e.g. the transformation of fiscal and economic policy into a shared competence; increasing Parliament's involvement in economic and monetary union; creating an 'EU foreign minister', transforming the office of the HR/VP; empowering the Commission to bring infringement procedures for the violation of Union values; making more frequent use of qualified majority voting in the Council; and granting the power to submit legislative proposals to actors other than the Commission, such as the Council, Parliament and national parliaments.

The Commission contributed to the debate with its March 2017 [White Paper](#) presenting five 'working methods' for the future. The Commission proposed five different scenarios in which EU integration could be developed with the intention of stimulating debate but without offering a definitive solution. Those scenarios were: i) 'Carrying on'; ii) 'Nothing but the single market'; iii) 'Those who want more do more'; iv) 'Doing less more efficiently'; and v) 'Doing much more together'. To these five scenarios, a sixth was added in the Juncker's 2017 State of the Union address in September 2017, based on strengthening a Europe of values represented by freedom, equality and respect for the rule of law. The Commission in its communication also offered support on specific institutional aspects, such as the *Spitzenkandidaten* process, a revised composition of Parliament, the possible introduction of transnational lists and the reform of the institutional leadership of the European Council and the Commission at the highest level, with the proposal for a 'double-hatted' President to encompass both functions.

Although the European Council did not react officially to the Commission's white paper, it nevertheless gave some Member States or groups of Member States the opportunity to express their positions.

A number of Member States made known their position on future reforms. The [southern European Union countries](#) set out their visions on specific policy areas, while other groups of countries such as Italy, France and Spain at the [Versailles Summit](#) took explicit positions in favour of a multi-speed Europe. The [Visegrad States](#) expressed their scepticism regarding that approach. The evolution of European integration is historically, although not exclusively, linked to the evolution of the Franco-German relationship. The June 2018 [Meseberg declaration](#) set out points of convergence between President Macron and Chancellor Angela Merkel's visions on a number of issues such as the migration agenda, the strengthening of the asylum system, the establishment of a genuine border police, and the establishment of a euro-area budget. The Meseberg declaration was followed by the [Aachen Treaty](#) signed on 22 January 2019, sealing this convergence in various areas.

During the course of 2018 and up to April 2019, the European Parliament, on the invitation of its President, organised [debates](#) on the [future of the EU-27](#) during its plenary sessions. The aim was to have the leaders of EU countries explain publicly their vision of the future of the EU and engage in a debate with Members of Parliament in an open and constructive way. The invitation was taken up by 20 EU leaders, who took the opportunity of the privileged setting to set out their ideas and remarks. The debates revealed a great number of convergences among the 27 Member States, not least the recognition of EU's added value and the need for unity, but naturally also divergences.

Finally, on 13 February 2019, the European Parliament adopted a [resolution on the state of the debate on the future of Europe](#), touching upon several aspects, ranging from policy, such as the perspective of EMU and economic governance, to institutional issues. This resolution recognised the need to make EU decision-making processes more democratic and transparent; reaffirmed the importance of the Community, as opposed to the intergovernmental, method and called for more agile decision-making through the increased use of qualified majority voting, including through recourse to the *passerelle* clauses. Parliament, in this resolution, also expressed the need to respect the balance between differentiated integration and the equality of Member States; called for a more active role of national parliaments, especially in controlling the action of their governments in the European institutions; and reiterated its suggestion to transform the Council into a true legislative chamber. It also stressed the need for more intense political integration, encompassing respect for human rights, fundamental freedoms and democratic principles.

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