

A critical appraisal of the Conference on the Future of Europe



*Study requested by Gunnar Beck MEP on behalf of the group
“Identity and Democracy” in the EU-Parliament - 30 December 2021*

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Executive Summary

This paper takes a closer look at the so-called “Conference on the Future of Europe”, assessing it in the light of protecting the national sovereignty of the EU's 27 democracies.

First of all, an overview is provided of the kind of proposals that are coming out of “COFOE”, as it has been dubbed, making it apparent how one-sided these proposals are, with a heavy bias in support of greater powers for the European Union. Noticeable is also how a lot of the proposals relate to day-to-day policy making at the EU level, while at the same time requiring EU Treaty change.

Afterwards, an assessment is made on whether the supposedly “independent experts” involved are actually “independent experts” and to what extent the “ordinary citizens” are, in effect, ordinary citizens. A closer look reveals how serious question marks can be raised when it comes to this matter, which determines the legitimacy of the conference.

A third part questions the democratic legitimacy of the whole “Conference on the Future of Europe” undertaking.

In a fourth part, various challenges surrounding the exercise are being explored, including the lack of public attention for it and the lack of financial transparency.

Introduction: What is COFOE and how does it function?

The idea of the Conference on the Future of Europe is to¹ create "a bottom-up exercise allowing European citizens to express their opinion on the Union's future policies and functioning. Tools such as the digital platform and citizens' panels enable discussion of topics that matter to them."

The "**Multilingual Digital Platform**" is described as a "Multilingual hub for citizens to share and debate ideas". It is supposed as the "main hub for citizens to share ideas and send contributions", but also as a "repository of citizens' contributions and documents" and should receive "input from events taking place under the umbrella of the Conference". Also "publication of conclusions reached by the Conference" is taking place through the "Multilingual Digital Platform".

As with regards to the topics² discussed:

"The platform is organised around key topics: climate change and the environment; health; a stronger and fairer economy; social justice and jobs; EU in the world; values and rights, rule of law, security; digital transformation; European democracy; migration; and education, culture, youth and sport. These topics are complemented by an 'open box' for cross-cutting and other topics ('other ideas'), as citizens remain free to raise any issue that matters to them, in a truly bottom-up approach."

Furthermore, there are so-called "**European Citizens' Panels**", which are "Forums where citizens discuss specific themes and provide a set of recommendations to the Conference plenary for the EU institutions to follow up".

There are four citizens' panels, composed of "200 citizens on each panel, selected at random", so in total amounting to 800 citizens. They "hold debates, including on the basis of contributions from the digital platform, and feed into the discussion of the Conference plenary with recommendations for the EU institutions to follow up. To adopt recommendations, it is necessary to convince 70% or more of the members of citizen panel that are casting a vote."³

The four thematic citizens' panels deal with the following topics:

¹ Infographic, European Parliament ("At a glance")

[https://www.europarl.europa.eu/RegData/etudes/ATAG/2021/690610/EPRS_ATAG\(2021\)690610_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/ATAG/2021/690610/EPRS_ATAG(2021)690610_EN.pdf)

² <https://www.europarl.europa.eu/news/en/press-room/20210414IPR02003/conference-on-the-future-of-europe-launch-of-the-multilingual-digital-platform>

³ Conference on the Future of Europe, Report: Panel 2, session 3 https://prod-cofe-platform.s3.eu-central-1.amazonaws.com/afosgy48ot11yrvtk7f59dyf72?response-content-disposition=inline%3B%20filename%3D%22Panel%20%20session%20%20Report_FINAL.pdf%22%3B%20filename%2A%3DUTF-8%27%27Panel%2520%2520session%2520%2520Report_FINAL.pdf&response-content-type=application%2Fpdf&X-Amz-Algorithm=AWS4-HMAC-SHA256&X-Amz-Credential=AKIA3LJXGZPDFYVOW5V%2F20211228%2Ffeu-central-1%2Fs3%2Faws4_request&X-Amz-Date=20211228T142904Z&X-Amz-Expires=300&X-Amz-SignedHeaders=host&X-Amz-Signature=8a787b80738f4f1e070961c11d03b5dfeea2c42d00fd5b8381526b85b5ce013 and <https://www.euractiv.com/section/future-eu/news/cofoe-could-cause-disquiet-in-commission-over-citizens-wishes-to-change-treaties/>

- i) European democracy/values, rights, rule of law, security;
- ii) climate change, environment/health;
- iii) stronger economy, social justice, jobs/education, youth, culture, sport/digital transformation;
- iv) EU in the world/migration

Member States (at national, regional or local level) and other stakeholders (civil society, social partners or citizens) may organise additional citizens' panels under the umbrella of the Conference.

The “Executive Board” of COFOE (see hereunder) has invited **experts** to participate in events of the Conference, in particular to the European Citizens Panels.

The “**Conference Plenary**” – which has been organised a few times already - counts 449 representatives. It “debates and discusses (...) the recommendations from the Citizens’ Panels” as well as “the input from the multilingual platform”

It puts forward Proposals to the Executive Board (on a consensual basis).

It is composed of 108 MEPs, 108 Members of national Parliaments, 80 representatives of the European Citizens' Panels (20 from each of the European Citizens' Panels, of which at least one-third is aged between 16 and 25 years), 54 of the Council, 27 representatives of “National events and/or panels”, 18 representatives of the Committee of the Regions, 18 representatives of the Economic and Social Committee, 12 of the “Social partners”, 8 of “Civil society organisations”, 6 local elected representatives, 6 regional elected representatives, 3 representatives and the President of the European Youth Forum.

The High Representative of the Union for Foreign Affairs and Security Policy is invited when the international role of the EU is discussed. Representatives of key stakeholders may also be invited.

During the Plenary, a consensus needs to be found “at least between the European Parliament, Council, Commission, and national parliaments”.

The Plenary is being prepared by **9 thematic working groups, composed of selected participants to the Plenary**⁴:

- Climate change and the environment
- Health
- A stronger economy, social justice and jobs
- EU in the world
- Values and rights, rule of law, security
- Digital transformation
- European democracy

⁴ https://futureu.europa.eu/uploads/decidim/attachment/file/12747/List_Plenary_working_groups_EN.pdf

- Migration
- Education, culture, youth and sport

Crucial to COFOE's organization is the so-called "**Executive Board**", which is composed of 9 representatives: 3 from the European Parliament, 3 from the Council of the EU and 3 from the European Commission. Its "Co-Chairs" are Belgian Renew MEP Guy Verhofstadt (representing the European Parliament), European Commissioner for Democracy and Demography Dubravka Šuica (Commission) and a representative of the rotating EU Council Presidency, which until now was Slovenian State Secretary at the Ministry of Foreign Affairs Gašper Dovžan. The Council representatives change along with the rotating presidency.

The executive board is responsible for the moderation of the "Multilingual Digital Platform" and also has the competence to "decide on the work of the Conference" and to "prepare the meetings of the plenary". It operates on the basis of consensus among the nine representatives.

It also includes "observers from the European Parliament, Council, national parliaments, Economic and Social Committee, Committee of the Regions, other EU institutions and European social partners".

The executive board is assisted by a "**Common Secretariat**", which is composed of an equal number of officials from the European Parliament, the Council and the European Commission. Its task is to "ensure functioning of the Conference, assist the Executive Board and the Plenary".

At the end of the conference, the executive board will issue a "Report to the joint presidency on the plenary's conclusions" and "in full collaboration and in full transparency with the Plenary". This is expected⁵ by Spring 2022.

This "**Joint Presidency**" is composed of European Parliament President David Maria Sassoli, the state of government leader of the member state chair the Council of the EU – until now Slovenian PM Janez Janša – and European Commission President Ursula von der Leyen.

⁵ <https://www.hec.edu/en/faculty-research/faculty-directory/faculty-member/alemanno-alberto>

Part 1. A look at the proposals coming out of COFOE

COFOE has resulted in the publication of a lot of ideas, both on the “Multilingual Digital Platform” and in reports⁶ summarizing what was said at the “European Citizens' Panels”.

Formal “recommendations” from these European Citizens' Panels have however only been published so far by one of the four panels, the “European Citizens' Panel on European democracy / Values and rights, rule of law, security” (Panel 2), which held its third and final session between 10 and 12 December at the [European University Institute \(EUI\)](#) in Florence, Italy, as well as remotely. The other three panels still need to adopt their “recommendations”.

These recommendations will be presented and discussed at the Conference Plenary, scheduled for the end of January in Strasbourg, which is supposed to “shape” the Conference's proposals.

This is what will happen next:

“Eighty Panel representatives - 20 from each of the European Citizens' Panels, of which at least one-third is aged between 16 and 25 years - are members of the Conference Plenary. There, they will present the outcomes of their respective Panel discussions, and debate them with MEPs, national government and parliament representatives, European Commissioners, and other Plenary Members from EU bodies, regional and local authorities, social partners and civil society.”⁷

Plenary “Working Groups” are preparing the conference.

Hereunder, I'll first take a look at the formal recommendations by panel 2, assessing:

1. whether the proposals can also be discussed outside of the “Conference on the Future of Europe”, meaning is it also possible to discuss them in the context of the ordinary EU legislative procedure, the national or local level?
2. whether proposals necessitate changing the EU's Treaties?
3. whether proposals imply a renewed transfer of competences to the EU and therefore further erode the powers of the EU's 27 national democracies

Secondly, I'll take a look at some of the other proposals from the other panels, even if they're not yet formal “recommendations”.

1.1. Assessment of the formal recommendations issued by panel 2 on "EU democracy, values, rights, rule of law, security"”

To be able to be adopted, recommendations needed to reach a threshold of 70% or more of the votes cast by the members of citizen panel 2. Only three out of 42

⁶ <https://futureu.europa.eu/pages/reporting>

⁷ https://ec.europa.eu/commission/presscorner/detail/en/IP_21_6840
<https://www.europarl.europa.eu/news/pt/press-room/20211207IPR18910/future-of-europe-panel-recommendations-on-european-democracy-and-values>

proposed recommendations were not adopted. As a result, 39 recommendations were adopted.⁸

Hereunder, these are being classified, along the lines described in the introduction:

Recommendation:	Can this also be discussed outside of COFOE?	Does this require EU Treaty change?	Does this imply a transfer of competences to the EU?
1-EU criteria on labour market anti-discrimination, linked to subsidies and tax breaks, and a temporary obligation for employers to employ certain groups	+	+	+
2-EU incentive programme to create affordable kindergartens and playgrounds in companies, and EU obliging companies to create kindergartens	+	+	+
3- Amending EU directive 98/58 EC concerning the protection of animals kept for farming purposes, so to define more detailed minimum criteria	+	-	+
4 EU forcing member states to change agricultural policies so to "tax all negative emissions, pesticides and extreme use of water, etc... , based on their environmental burden" + adapt customs duties for agricultural imports, to "eliminate competitive advantages of third countries without the same standards as the EU"	+	+	+
5. To combat "fake news", there needs to be an EU "minimum standards directive for media independence" + "promoting at EU level the development of media competences for every citizen".	+	+	+
6. "Stop subsidising agricultural mass-production if it does not lead to a transition	+	-	+

⁸ Conference on the Future of Europe, Report: Panel 2, session 3 https://prod-cofe-platform.s3.eu-central-1.amazonaws.com/afosgy48ot11yrvtk7f59dyf72?response-content-disposition=inline%3B%20filename%3D%22Panel%20%20session%203%20Report_FINAL.pdf%22%3B%20filename%2A%3DUTF-8%27%27Panel%2520%2520session%25203%2520Report_FINAL.pdf&response-content-type=application%2Fpdf&X-Amz-Algorithm=AWS4-HMAC-SHA256&X-Amz-Credential=AKIA3LJXGZPDFYVOW5V%2F20211228%2Ffu-central-1%2Fs3%2Faws4_request&X-Amz-Date=20211228T142904Z&X-Amz-Expires=300&X-Amz-SignedHeaders=host&X-Amz-Signature=8a787b80738f4f1e070961c11d03b5dfeea2c42d00fdf5b8381526b85b5ce013 and <https://www.euractiv.com/section/future-eu/news/cofoe-could-cause-disquiet-in-commission-over-citizens-wishes-to-change-treaties/>

towards a climate, environmentally sustainable and ecological agriculture. Instead we recommend to redirect the subsidies to support a sustainable transition”			
7. "Entities that process personal data shall be licensed at EU level + shall also be subject to independent, external annual data protection audit + shall be punished for data protection violations proportionally to their annual turnover in a stricter way than under the current regulation. The license should be lifted after two consecutive violations, and immediately after a serious violation”.	+	-	+
8. "Strengthening the EU competence in: 1) data protection education, 2) data protection raising awareness and 3) protecting personal data of minors" + "providing clearer and stricter rules about processing data of minors in the GDPR, including consent rules, age verification and control by legal guardians."	+	-	+
9. Changing EU rules in order to "introduce standardized privacy policies and easily understandable, concise and user-friendly consent forms that clearly indicate what data processing is strictly necessary and what is optional."	+	-	+
10. "Amend the EU's conditionality regulation (2020/2092, adopted on 16 December 2020) so that it applies to all breaches of the rule of law rather than only to breaches affecting the EU budget”.	+	+	+
11. “We recommend that the EU organises annual conferences on the rule of law following the publication of the annual Rule of Law Report (the Commission’s mechanism for monitoring compliance with the rule of law by the Member States). Member States should be obligated to send socially diverse national delegations to the conference that include both citizens and civil servants”.	-	+	+
12. “We recommend that the EU enforces its competition rules in the media sector more strictly to ensure that media pluralism is protected in all Member States. The EU should prevent large media	+	+	+

monopolies and political appointment processes for media outlet boards. We also recommend that the upcoming EU Media Freedom act entails rules on preventing politicians from owning media outlets or having a strong influence on their content”.			
13. “We recommend the EU institutions to play a stronger role with all the tools at their disposal, including national centers for cybersecurity and the European Union Agency for Cybersecurity (ENISA), to protect individuals, organizations and institutions against new threats coming from cybersecurity breaches and the use of Artificial intelligence for criminal purposes. We further recommend that the directives coming from Europe and its agencies are correctly implemented and disseminated in all Member States”.	+	+	+
14. “We recommend that, in its relationship with external countries, the European Union should firstly strengthen common democratic values in its borders. We recommend that only after achieving this, the European Union can be an ambassador of our democratic model in the countries that are ready and willing to implement it, through diplomacy and dialogue”.	-	-	-
15. “We recommend changing the names of EU institutions to clarify their functions. For example, the Council of the European Union could be called the Senate of the European Union. The European Commission could be called the Executive Commission of the European Union”.	-	+	+
16. “We recommend adopting an election law for the European Parliament that harmonizes electoral conditions (voting age, election date, requirements for electoral districts, candidates, political parties and their financing). European citizens should have the right to vote for different European Union level parties that each consist of candidates from multiple Member States. During a sufficient transition period, citizens could still vote for both national and transnational parties”.	-	+	+
17. “We recommend to create an online	+	+	+

platform where citizens can find and request fact-checked information. The platform should be clearly associated with EU institutions, should be structured by topics and should be easily accessible (e.g., including a telephone hotline). Citizens should be able to ask critical questions to experts (e.g., academics, journalists) and get factual answers with sources”.			
18. “We recommend that there should be an EU-wide referendum in exceptional cases on extremely important matters to all European citizens. The referendum should be triggered by the European Parliament and should be legally binding”.	-	+	+
19. “We recommend creating a multifunctional digital platform where citizens can vote in online elections and polls. Citizens should be able to give their reasoning behind their vote on important issues and legislative proposals coming from European institutions. The platform should be secure, widely accessible and highly visible to each and every citizen”.	-	+	+
20. “We recommend that the voting systems in the EU institutions should be reassessed focusing on the issue of unanimous voting. Voting 'weight' should be calculated fairly, so that small countries' interests are protected”.	-	+	+
21. “We recommend the EU to make public investments which lead to the creation of appropriate jobs and to the improvement and harmonisation of quality of life across the EU”	+	+	+
22. “We recommend establishing a common basis, according to a set of economic indicators and indicators on quality of life, for all Member States, with the same opportunities and with everyone being at the same level to reach a common economic structure.”	+	+	+
23. “We recommend taxing big corporations and income from big corporations to contribute to	+	+	+

public investments, and to use the taxation to invest into education and development of each country (R&D, scholarships - Erasmus etc.). It is also important to focus on eliminating the existence of tax havens in the EU".			
24. "We recommend that education on democracy in the European Union should strive to improve and achieve a minimum standard of knowledge across all Member States. This education should include, but not be confined to, democratic processes and general information on the EU which should be taught in all EU Member States. This education should be further enriched by a set of differing concepts teaching the democratic process, which should be engaging and age appropriate".	+	+	+
25. "We recommend that existing and emerging translation technologies such as artificial intelligence are further developed, improved and made more accessible so as to reduce language barriers and strengthen common identity and democracy in the European Union".	+	+	+
26. "We recommend that verifiable information be made easily accessible, in understandable terms, to citizens via a mobile device application in order to improve transparency, public deliberation and democracy. This app could disseminate information regarding, for example, legislation, discussions within the EU, treaty changes etc".	+	-	-
27. "We recommend that the EU creates a special fund for online and offline interactions of both short and longer duration between EU citizens, in order to strengthen the European identity. The participants should be representative of the society from within EU that would include targeted groups based on various criteria, ie. demographic, socio-economic and occupation criteria."	+	-	+
28. "We recommend that the EU invests in countering disinformation swiftly, by supporting existing organisations and initiatives, such as the Code of Practice on Disinformation and the European	+	-	+

<p>Digital Media Observatory, and similar initiatives in the Member States. The counter-measures could include fact-checking, creating awareness about disinformation, providing easily accessible statistics, appropriately sanctioning those who spread disinformation based on a legal framework, and tackling the sources of disinformation”.</p>			
<p>29. “We recommend 1) to increase the frequency of online and offline interactions between the EU and its citizens (ie. by asking citizens directly about EU matters and by creating an user-friendly platform to ensure that every citizen can interact with EU institutions and EU officials), and 2) in order to ensure that citizens can participate in the EU policy-making process, to voice their opinions and to get feedbacks, we recommend to create a charter or a code of conduct or guidelines for EU officials. Different means of interactions should exist so that every citizen can participate”.</p>	+	-	-
<p>30. “We recommend that European identity and values (ie. rule of law, democracy and solidarity) should receive a special place within the migrants' integration process. Possible measures could include creating programmes or supporting already existing (local) programmes, to encourage social interactions between migrants and EU citizens or involving companies in the programmes supporting the integration of migrants. At the same time, similar programmes should be initiated in order to create awareness among EU citizens about migration-related issues”</p>	+	+	+
<p>31. “We recommend that the EU provides more information and news to European citizens. It should use any means that are necessary while respecting freedom and independence of the media. It should provide media outlets with resources as well as a broad and reliable information about EU activities and policies. The EU should guarantee that the information is broadcasted</p>	+	+	+

<p>evenly across all Member States by National and European media and should ensure that Member States encourage public broadcasters and public news agencies to cover European affairs”.</p>			
<p>32. “We recommend the EU to create and advertise multilingual online forums and offline meetings where citizens can launch discussions with EU representatives, no matter the topic and no matter the geographical scope of the issue raised. Those online forums and offline meetings should have a defined short-term time limit in which responses to the questions are received. All the information about these spaces should be centralized in an integrated official website with different features; such as a frequently asked questions space, the possibility to share ideas, proposals or concerns with other citizens and with a mechanism to identify the most supported ones. In any case, access to it should be easy and a non-bureaucratic language should be used”.</p>	+	-	+
<p>33. “We recommend the EU institutions and representatives to use a more accessible language and avoid using bureaucratic terms in their communications while, at the same time, maintaining the quality and expertise of the given information. The EU should also adapt the information it provides to citizens with different communication channels and audience profiles (e.g. newspapers, television, social media). The EU should make a special effort to adapt communication to digital media in order to increase its outreach capacity to young people”.</p>	+	-	-
<p>34. “We recommend that independent citizen observers should be present during all EU decision making processes. There should be a forum or permanent body of citizens representatives in order to carry out the function of broadcasting relevant and important information to all EU citizens as</p>	-	+	+

defined EU citizens. Those citizens would engage with all other European citizens in the spirit of topdown / bottom-up connection, which would further develop the dialogue between citizens and the institutions of the EU”			
35. “We recommend that the EU reopens the discussion about the constitution of Europe with a view to creating a constitution informed by the citizens of the EU. Citizens should be able to vote in the creation of such a constitution. This constitution in order to avoid conflict with the member states should prioritize the inclusion of human rights and democracy values. The creation of such a constitution should consider previous efforts that never materialized to a constitution”.	-	+	+
36. “We recommend that politicians are more responsible in representing the citizens that they are elected to represent. Young people in particular are specially alienated from politics and are not taken seriously whenever they are included. But alienation is a universal issue and people of all ages should be engaged more than what they currently are”.	+	-	-
37. “We recommend that the EU should be closer to citizens in a more assertive way, which means involving the Member States in the promotion of citizens' participation in the EU. The EU should promote the use of the mechanisms of citizens' participation, by developing marketing and publicity campaigns. The national and local governments should be obliged to be involved in this process. The EU should guarantee the effectiveness of participative democracy platforms”.	-	+	+
38. “We recommend that the EU creates and implements programmes for schools about what is being done in the EU in terms of the existing mechanisms of participation. These programmes should be included in the school curricula about European citizenship and ethics with content adequate to the age. There should also be	+	+	+

programmes for adults. There should be lifelong learning programmes available to citizens to further their knowledge about the possibilities of EU citizen participation”.			
39. “We recommend that the European Union holds Citizen’s Assemblies. We strongly recommend that they are developed through a legally binding and compulsory law or regulation. The citizens’ assemblies should be held every 12-18 months. Participation of the citizens should not be mandatory but incentivised, while organised on the basis of limited mandates. Participants must be selected randomly, with representativity criteria, also not representing any organisation of any kind, nor being called to participate because of their professional role when being assembly members. If needed, there will be support of experts so that assembly members have enough information for deliberation. Decision-making will be in the hands of citizens. The EU must ensure the commitment of politicians to citizens’ decisions taken in Citizens’ Assemblies. In case citizens’ proposals are ignored or explicitly rejected, EU institutions must be accountable for it, justifying the reasons why this decision was made”.	-	+	+

What can be concluded, is that only 11 from the 39 recommendations actually relate to the subject matter at hand: the future of the European Union (given that “Europe” in the “Conference on the Future of Europe” is shorthand for “the EU”). Only an unworkable broad interpretation of the subject matter can justify discussing things like taxation policy.

Furthermore, it’s noteworthy that only 13 out of 39 recommendations do not require changing the EU Treaties – according to a very rough analysis, given how the recommendations weren’t always that specific. In itself, it’s not a problem that the majority of the recommendations entail Treaty change, given how this exercise is suppose to be dealing with grand challenges, but due to the unlikelihood of EU Treaty change, the political relevance of these recommendations is limited.

Last but not least, 34 out of 39 recommendations involve a transfer of powers to the EU policy level, like for example scrapping national vetoes. This is quite telling. It is

not in line with recent polling in EU member states, which indicates that “a majority of respondents are opposed to further transfers of power to Brussels.”⁹

1.2. Assessment of the proposals floated inside the other panels

Other proposals included in the reports published¹⁰ on the COFOE website have not yet reached the status of formal “recommendations”. Yet, they seem to go into a similar direction.

Here’s a random selection of proposals is being featured, analysed alongside the same criteria as hereabove:

Panel 1: “Stronger economy, social justice and jobs / youth, sport, culture and education / digital transformation”¹¹:

Proposal:	Can this also be discussed outside of COFOE?	Does this require EU Treaty change?	Does this imply a transfer of competences to the EU?
Guaranteed Universal Income	+	+	+
Have a minimum standard of employment conditions and payments	+	+	+
Education: promoting the combination work and learning in collaboration with companies	+	-	+
Social Justice: Newborns Rights in Europe, life of equality without differences (more powers given to the European Parliament)	+	+	+
Europe has to promote sports, make information available and give opportunities to do sports to the population because it promotes social and other skills and well-being. With attention to health and nutrition	+	+	+

Panel 3 (“Climate change, environment / health”):

Proposal:	Can this also be discussed	Does this require	Does this imply a
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⁹ It must be added that this of course differs per member state. An analysis of the opinion poll also highlights: “This anti-integrationist sentiment is particularly pronounced in Denmark. Spanish respondents, in contrast, are the most pro-integrationist.” (RECONNECT Citizen Survey, online survey in Denmark, France, Germany, Hungary, Poland, and Spain (2021) <https://reconnect-europe.eu/wp-content/uploads/2021/04/D9.2.pdf>

¹⁰ <https://futureu.europa.eu/pages/plenary>

¹¹ <https://futureu.europa.eu/assemblies/citizens-panels/f/298/>

	outside of COFOE?	EU Treaty change?	transfer of competences to the EU?
How to develop environmental education as a fundamental value of the European Union?	+	+	+
Reduction of atmospheric pollution and noise (improving cyclist mobility, reduction of fossil fuels, use of clean energies, etc.)	+	-	+
Quality of food produced. Regulation of modifications made to food products	+	-	+
Introduce a consumer label (e.g. in form of traffic light signals red/yellow/green) based on the criteria sustainability, climate change, social standards and emissions for consumer goods (based on the EU supply chain legislation)	+	-	+
The creation of a new European body that would finance innovative and sustainable products.	+	-	+
How to regulate the overproduction of companies	+	+	+

Panel 4 (“EU in the world / migration”):

Proposal:	Can this also be discussed outside of COFOE?	Does this require EU Treaty change?	Does this imply a transfer of competences to the EU?
Uniform tax rules for third countries	+	+	+
Trade policy combine with the dissemination of the ethical values of the European Union and European environmental and climate policy	+	-	+
Role of the EU in climate enforcement and stimulating the other states to adhere to the rules	+	-	+

EU increase taxation for companies that make use of outsourcing or have monopoly	+	-	+
Creation of a common European army	-	+	+
Revise the decision by unanimity of the Council of the EU	-	+	+
Review the role of the European Parliament in the EU decision-making process	-	+	+
Unanimity - Sanctions in the EU when countries do not live up to agreements	+	+	+
Help to stay in the country of departure (and control of these aids)	+	-	+
Combating reasons of migration; Aid to improve living standards in the original countries; Targeted qualification of voluntary migrants in Europe, support for qualification and education in the countries of origin	+	-	+
Compliance with human rights and uniform humanitarian standards in dealing with migrants	+	-	+
Distribution policy of non-European migrants	+	+	+
Policy towards an aging EU society: A unified pension system	+	+	+
Asylum policy criteria: When does anyone have a right to asylum? Can there be a common European regulation and common standards?	+	+	+
Production of a uniform European asylum system and more competence in migration issues at European level	+	+	+

This random sample of proposals reveals a pattern similar to the proposals that have become “recommendations” in the second panel. An overwhelming majority of the proposals are linked to policies that can perfectly be discussed outside a forum on the EU’s future. Most of them also imply Treaty change and a shift of powers to the EU level, thereby eroding the powers of national democracies, and therefore national parliaments in particular. The latter may be formally involved in COFOE, but pretty much everything that comes out of the exercise amounts to erosion of their hard-fought powers to control executives.

The assumption that the European Parliament will serve as a watchdog to scrutinize the EU’s newly acquired powers has been proven wrong time and again. One example is how despite the annual critical reports issued by the European Court of Auditors, the EU’s own auditor, the European Parliament simply rubber stamps EU spending without blinking an eye.

Similar proposals are also included in the "Youth ideas report for the conference on the future of Europe"¹². This report, which "is the result of the youth consultation process organised by the European Parliament in the framework of the Conference", added into the mix out of the blue, for example explores "fiscal and political integration within the EU", stressing: "To ensure better integration within the Union, now is the time to apply one fiscal system across the EU." It seems to be a so-called European Youth Event", an "event initiated and hosted by the European Parliament since 2014 with the aim of stimulating active citizenship amongst young Europeans"¹³, this time co-hosted with COFOE, further adding to the mix of input that should ultimately result in a report by COFOE's executive board.

COFOE's "second interim report" really sums the prevalent attitude within COFOE's discussing bodies, as it mentions¹⁴ that "a large number of contributors under the topic of European Democracy call for a federalisation of the European Union.". The causes of this will be more profoundly explored in parts 2 and 3.

¹² https://prod-cofe-platform.s3.eu-central-1.amazonaws.com/y231vyywjegegq9weo7qy9cr0qec?response-content-disposition=inline%3B%20filename%3D%222021_EYE_Report%20Booklet_A5_EN-V2-Interactive.pdf%22%3B%20filename%2A%3DUTF-8%27%272021_EYE_Report%2520Booklet_A5_EN-V2-Interactive.pdf&response-content-type=application%2Fpdf&X-Amz-Algorithm=AWS4-HMAC-SHA256&X-Amz-Credential=AKIA3LJJXGZPDFYVOW5V%2F20211228%2Feu-central-1%2Fs3%2Faws4_request&X-Amz-Date=20211228T163740Z&X-Amz-Expires=300&X-Amz-SignedHeaders=host&X-Amz-Signature=251cb2fe3278ed688f134f073d0bea32c8659c293c1eca8b8e9e96ac0cb1253d

¹³ <https://etendering.ted.europa.eu/cft/cft-display.html?cftId=4422>

¹⁴ https://prod-cofe-platform.s3.eu-central-1.amazonaws.com/3n7w45maf30kaw3igpp0ljjkihbg?response-content-disposition=inline%3B%20filename%3D%22COFE%20Second%20Interim%20Report%20September%20Kantar%20final.pdf%22%3B%20filename%2A%3DUTF-8%27%27COFE%2520Second%2520Interim%2520Report%2520September%2520Kantar%2520final.pdf&response-content-type=application%2Fpdf&X-Amz-Algorithm=AWS4-HMAC-SHA256&X-Amz-Credential=AKIA3LJJXGZPDFYVOW5V%2F20211228%2Feu-central-1%2Fs3%2Faws4_request&X-Amz-Date=20211228T160419Z&X-Amz-Expires=300&X-Amz-SignedHeaders=host&X-Amz-Signature=471b885bd273a2fb1e85f67fad5bae71973df6017a8802c5937daedc9e56dba

Part 2. Assessing the background of the experts and citizens involved

2.1. A closer look at the citizens and civil society contributing to the debate

One of the avid supporters of COFOE is Professor Alberto Alemanno¹⁵, who's teaching EU law at HEC Paris, an engagement which is partially EU-funded through the EU's Jean Monnet programme.¹⁶ He is involved with COFOE as an expert observer, in particular for Panel 2, working on Democracy and the Rule of Law.

In an interview¹⁷ with a magazine linked to Central European University, the interviewer mentions with regards to the first published recommendations, of citizen panel 2: "If one looks at the conclusions that you posted on Twitter, which are also now available online officially, one might have an impression that this was a meeting of the European Federalists, or a very pro-European group. Is this the case that the citizens who were chosen were just by accident very pro-European, or was it deliberation that produced this kind of pro-European feelings? How was the integrity of this process secured?"

Interestingly, Alemanno admits what cannot be denied: "True: the recommendations look suspiciously integrationist in their orientation."

However, according to him: "Yet, based on my own observation, these recommendations are more the by-product of the genuine transnational experience gained by the Conference's participants than the inevitable result of a supposedly pro-EU biased initiative."

That is of course one possible explanation, but another one is so-called "self-selection bias".

This has been described¹⁸ as follows:

"Self-selection bias is the problem that very often results when survey respondents are allowed to decide entirely for themselves whether or not they want to participate in a survey.

To the extent that respondents' propensity for participating in the study is correlated with the substantive topic the researchers are trying to study, there will be self-selection bias in the resulting data. In most instances, self-selection will lead to biased data, as the respondents who choose to participate will not well represent the entire target population."

¹⁵ <https://www.hec.edu/en/faculty-research/faculty-directory/faculty-member/alemanno-alberto>

¹⁶ https://en.wikipedia.org/wiki/Jean_Monnet_Programme

¹⁷ <https://revdem.ceu.edu/2021/12/18/future-of-europe-its-not-about-treaty-change-its-about-european-democracy/>

¹⁸ <https://methods.sagepub.com/reference/encyclopedia-of-survey-research-methods/n526.xml>

An interesting "Analysis of the speakers of the Inaugural Plenary of the Conference on the Future of Europe"¹⁹, prepared by German AfD MEP Gunnar Beck, provides very clear indications that the reason for the clear preference for EU-federalism may well be due to self-selection bias, as participants were clearly biased from the start, rather than to participants somehow converting to EU-federalism as they engage in COFOE proceedings, as suggested by Professor Alemanno.

Beck notes:

“First, the Inaugural Plenary featured a clear majority of integrationist speakers, which is not in line with the latest available data from Eurobarometer on support for further institutional integration at EU level.

Second, there is a clear disequilibrium in the geographic spread of speakers from the European Parliament and national and regional parliaments. While the European Parliament speakers only come from a limited number of Member States and are most likely to be from larger Member States, the speakers from national parliaments represent more Member States, and are more likely to represent smaller Member States.

Third, the majority of speakers labelled as citizens, are engaged, and sometimes even gainfully employed in civil society organisations, blurring the difference between these two categories of speakers.

Fourth: most civil society organisations represented at the Inaugural Plenary have a clear integrationist agenda, are intertwined with each other, and seem to lack true diversity of opinion.”

Of the 163 speakers, he categorized each speech in one of three categories, concluding that 110 were “pro EU”, only 20 were “Eurosceptic” and 33 were “neutral”.

	Total	MEPs	Council	Citizens	Nat. Parl.	Civ. soc.	Commission	CoR	Soc. part.	EESC
Total	163	40	28	27	38	6	5	9	5	5
Pro-EU	110	28	19	15	23	5	5	6	4	5
Eurosceptic	20	8	1	3	6	1	0	1	0	0
Neutral	33	4	8	9	9	0	0	2	1	0

Table 1. Distribution of the speakers over the 9 categories and their speeches.

¹⁹ <https://miwi-institut.de/archives/1241> and https://twitter.com/EP_Speeches/status/1406206713255051267?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweete%5E%7Ctwterm%5E1406206713255051267%7Ctwgr%5E%7Ctwcon%5Es1_&ref_url=https%3A%2F%2Frealconferenceonfuture.eu%2F2021%2F07%2F07%2Fquantifying-the-bias-of-the-conference-on-the-future-of-europe%2F and https://twitter.com/EP_Speeches/status/1406206713255051267

	Total	MEPs	Council	Citizens	Nat. Parl.	Civ. soc.	Commission	CoR	Soc. part.	EESC
Total	163	40	28	27	38	6	5	9	5	5
Pro-EU	68 %	70 %	68 %	55.6 %	60.5 %	83 %	100 %	66.7 %	80 %	100 %
Eurosceptic	12 %	20 %	3.5 %	11.1 %	15.8 %	17 %	0 %	11.1 %	0 %	0 %
Neutral	20 %	10 %	28.5 %	33.3 %	23.7 %	0 %	0 %	22.2 %	20 %	0 %

Table 2. Distribution of the speakers over the 9 categories and their speeches (in percentages, as share of total speakers per category).

Of the 27 citizens that spoke, 15, or 55.6% of them, were “pro-EU”, only 11.1% were “eurosceptic” and 33.3% were “neutral”.

Even more unbalanced were participants labeled as “civil society”, where 83% were “pro-EU”, 17% were “eurosceptic” and 0% were “neutral”.

2.2. Clues as to why citizens and civil society appear biased

A document with the title "Purpose and expectations of the Conference including European Citizens' Panels, National Panels/events and Multilingual Digital Platform: presentation and general discussion", dated 19/06/2021, lists the names of citizens that have participated to the first COFOE plenary.

Listed as “citizens” (either as “CFE Citizens” or as “CFE Citizens – INTERACTIO”) are the following names. When they are in any way affiliated with EU politics, this is mentioned next to their name.²⁰ This is of course not a problem in itself, but should raise some question marks regarding the whole legitimacy of the COFOE process:

HARTUNG Stephanie - Pulse of Europe

GUTKAS Valentina

SKIBA Andrzej

NORRA Ninni - Selected as Finland’s citizen representative, served in the local council of the European Youth Parliament

ALDECOA Francisco - political scientist, author of “La Europa que viene: el tratado de Lisboa”

²⁰ This is done through google search. Of course, in theory, these may be people carrying the same name, but given how 20 out of 27 appear to be clearly linked to EU politics, the odds of that are rather small.

HOZLÁROVÁ Zuzana

MARKKULA Silja - European Youth Forum

PAGOULATOS George - Professor at Athens University of Economics and Business, as well as Visiting Professor at the College of Europe since 2006

TOUTPATI Daniela - academic at Brussels VUB university and “Understanding Europe Coordinator” of the “European Youth Parliament”

PASSY Gergana - Founder and President of PanEuropa Bulgaria

CHLUP Jan

BOYSEN Nicolai - European Youth Forum

SCHULZ Kaspar

O’CONNELL Noelle - ceo of European Movement Ireland, an EU-funded²¹ pressure group which campaigns²² for more concentration of power at the EU level, who was later appointed²³ by the Irish government as “National Citizen Representative” for COFOE.

MRŠA Martin - Croatian Youth Association “Youth in the European Union”

SEVERINO Paola - Former Italian Justice Minister, serving under Italian PM Mario Monti, a well-known EU-federalist

KOURRAS Antonis - President of Cyprus Youth Council, which promotes “EU Youth Dialogue” on its website

ZONBERGA Kristīne - European Citizens Initiative Ambassador, Latvia

KULYS Justinas - Policy Analyst at the European Economic and Social Committee

CHAKIR Iness

JOÓ Kinga - member at European Economic and Social Committee

FALZON Mandy - , appointed by Maltese Europe Minister Helena Dalli as the designate Head of MEUSAC- the Malta-EU Steering and Action Committee (MEUSAC), first set up in 1999 to oversee the process of Malta’s accession to the European Union

NIJMAN Leverne - Dutch Youth Representative European Affairs, Dutch Youth Council

²¹ <https://ec.europa.eu/transparencyregister/public/consultation/displaylobbyist.do?id=35279857524-58>

²² <https://europeanmovement.eu/eu-own-resources/>

²³ <https://www.europeanmovement.ie/noelle-o-connell-irelands-national-citizen-representative-cofoe/>

BASTOS Regina - former Portugese MEP

BÂRGĂOANU Alina - Center for European Studies at Harvard University

PLEŠKO Mark

GISSLEGÅRD Elsie - an active member of the Swedish EU-federalist Centre Party

The conclusion: a basic google learns that not less than 20 of these 27 supposed “ordinary citizens” are in one way or another already actively to very actively engaged with EU politics. Again, this is hardly something to condemn these people for, but it is yet more evidence of how badly “self-selection bias” has infected COFOE from the very beginning.

The document also mentions 6 participants listed as “CFE Civil Society” or “CFE Civil Society – INTERACTIO”. I mention their affiliation:

NAJMOWICZ Alexandrina - Director, European Civic Forum (France, EU-funded, amounting to 201,142 €²⁴)

ECHTERHOFF Anna - Secretary General, Union of European Federalists (UEF), EU-funded, amounting to 150,000 €²⁵)

HEIDEGGER Patrizia - Director Global Policies and Sustainability, European Environmental Bureau, Brussels, EU-funded, amounting to 4,319,427 €²⁶)

VARDAKASTANIS Ioannis- president of the European Disability Forum (EDF) (EU-funded, amounting to 1,200,000 €²⁷) and a Member of the European Economic and Social Committee, an EU institution.²⁸

FASSOULAS Petros - Secretary General - European Movement (EU-funded, amounting to 400,000 €²⁹)

BERTONCINI Yves - consultant and academic, vice-president of the European Movement – France³⁰, former director of the Jacques Delors Institute (2011-2017), director of the European Commission (on secondment), where he worked in the Directorates-General “Education, Training, Youth” and “Regional Policy”.³¹

Without any doubt, these are all intelligent people that are worth being listened to, but equally certain is how close they are to the EU institutions, with one even being a member of an EU institution. It is also questionable whether one should be able to

²⁴ <https://ec.europa.eu/transparencyregister/public/consultation/displaylobbyist.do?id=981872117501-10>

²⁵ <https://ec.europa.eu/transparencyregister/public/consultation/displaylobbyist.do?id=66364002603-57>

²⁶ <https://ec.europa.eu/transparencyregister/public/consultation/displaylobbyist.do?id=06798511314-27>

²⁷ <https://ec.europa.eu/transparencyregister/public/consultation/displaylobbyist.do?id=57868523887-16>

²⁸ https://op.europa.eu/en/web/who-is-who/person/-/person/EESC_EESC_2026887

²⁹ <https://ec.europa.eu/transparencyregister/public/consultation/displaylobbyist.do?id=35279857524-58>

³⁰ <https://europeanmovement.eu/who-we-are/the-board/?EMI=yves.bertoncini>

³¹ <https://institutdelors.eu/en/tous-les-contributeurs/bertoncini-yves/>

claim to represent civil society when one is heavily funded by EU taxpayers. It should in any case not surprise to see them supporting more power and money for the institution upon which they financially depend.

To be fair, the names of citizens in later COFOE rounds were a lot less obviously linked to EU politics than was the case in the beginning. Then the situation was particularly dramatic. Apparently, the improvement is due to the fact that Kantar Group, a data analytics and brand consulting company, took over the selection process. Still, profound questions linger on Kantar's working methods, as will be discussed later.

Despite improvements – from a very low base - the situation seems to have remained problematic, even if we need to resort to evidence provided by witnesses, given how no lists of participating citizens are being published. In November, ECR MEP Michiel Hoogeveen remarked³² that "my working group ended up being a debate club for MEPs and MPs", as in the COFOE plenary, the so-called "citizens" were "a former MEP, a professor from the European Movement of Spain and the founding member of Pulse of Europe, a pro-EU movement", concluding: "What we see is a conference that lacks the input of farmers, teachers and blue collar workers". He further also lamented that "in the citizen panel, I saw experts with outspoken views."

In any case, this all illustrates how vulnerable the whole COFOE process is to "self-selection bias".

Already at a 3 September meeting, Polish ECR MEP Zdzisław Krasnodębski asked Belgian Renew MEP Guy Verhofstadt, who serves on the "executive board" of COFOE whether the names of citizens are being communicated. Verhofstadt then answered that the citizen panels will be webstreamed, enabling people to check their names. This is better than having to rely on leaked documents, but still inconvenient.

In this regard, it's also important to mention that since a few months, the promotion for COFOE on the European Parliament's social media accounts no longer mentions the full names of citizens. Only their first names are mentioned, and no longer their surnames or their social media accounts, in case they have one. This means it has become even harder to verify whether citizens are being selected in a properly random manner. Clearly this is also not exactly inspiring confidence.

2.3. A closer look at the "independent experts"

A number of "independent experts" have been invited to sit in the European Citizens' Panels, to inform European citizens. According to the website of the European

³² https://twitter.com/EP_Speeches/status/1455250565055795207

Parliament, “independent experts will be available at the meetings to provide advice.”³³

The following experts have been invited to take part. Again, when these people have close links to the EU institutions or are on the receiving side of EU funds, this is mentioned and their names have been highlighted in **bold**:

Panel 1 “Stronger economy, social justice and jobs / youth, sport, culture and education / digital transformation”³⁴:

Lucas Guttenberg - Jacques Delors Institut (EU-funded³⁵)

Dorota Szelewa - Assistant Professor in Social Justice University College Dublin

Louis Godart - Italian archaeologist

Pedro Nuno Teixeira - Director of CIPES – the Center for Research in Higher Education Policies and Associate Professor of the Faculty of Economics at the University of Porto.

Pierre-Alexandre Balland - Associate Professor Geosciences

Francesca Bria - innovation economist and President of the Italian national innovation Fund

Panel 2: “European democracy/values, rights, rule of law, security”

Miguel Poiares Maduro – “Part-Time Professor and former Director of the School of Transnational Governance. He is also Chair of the Executive Board of the European Digital Media Observatory (EDMO), an STG-led project on online disinformation, funded by the European Commission.”³⁶

Jim Cloos - TEPSA Secretary-General (EU-funded³⁷). Before, “he served as Deputy Director General for General and Institutional Policy at the General Secretariat of the Council of the European Union.”

Alicja Gescinska – an academic who has been a prominent candidate for the European Parliament elections for Belgium’s EU-federalist Open VLD³⁸.

Johanna Kantola - Professor of Gender Studies at the Faculty of Social Sciences at the Tampere University. Director of an EU-funded research project.³⁹

³³ <https://www.europarl.europa.eu/news/en/headlines/eu-affairs/20210902STO11111/future-of-europe-citizens-panels-take-the-floor>

³⁴ <https://futureu.europa.eu/assemblies/citizens-panels/f/298/>

³⁵ <https://ec.europa.eu/transparencyregister/public/consultation/displaylobbyist.do?id=726109217329-25>

³⁶ <https://www.eui.eu/people?id=luis-poiares-pessoa-maduro>

³⁷ <https://ec.europa.eu/transparencyregister/public/consultation/displaylobbyist.do?id=366997312527-51>

³⁸ https://www.standaard.be/cnt/dmf20190311_04245503

Jan Wouters – “Jan Wouters is Full Professor of International Law and International Organizations, Jean Monnet Chair ad personam EU and Global Governance, and founding Director of the Institute for International Law and of the Leuven Centre for Global Governance Studies” (which is EU-funded⁴⁰)

Daniela Pisoiu - Daniela Pisoiu is senior researcher at the Austrian Institute for International Affairs (which receives EU project funding⁴¹)

Panel 3: “Climate change, environment / health”

Valérie Masson-Delmotte - French climate scientist and Research Director at the French Alternative Energies and Atomic Energy Commission (not EU-funded⁴²)

Jean-Pascal Van Ypersele - Professor of Environmental Sciences at the UCLouvain, former vice-chair of the IPCC, member of European Commission expert groups⁴³

Jaroslav Pietras - Director General of the DG TREE (Transport, Energy, Environment, Education) at the European Council.

Céline Charveriat - Executive Director of Institute for European Environmental Policy (IEEP) (EU funded, amounting to more than 1,518,145 €⁴⁴)

Xose M. Fernandez - Director of Data, Institut Curie (not EU-funded⁴⁵)

Walter Ricciardi - President of the Italian National Institute of Health

Elizabeth Adams - European Federation Of Nurses Associations (EU funded⁴⁶)

Panel 4 – “EU in the world / migration”

Federica Mogherini - former High Representative of the European Union for Foreign Affairs and Security Policy and Vice-President of the European Commission and currently Rector of the College of Europe (EU-funded)

Federiga Bindi - Prof. Federiga Bindi is Professor of Political Science and Jean Monnet Chair at the University of Rome (EU-funded⁴⁷)

³⁹ <https://research.tuni.fi/johannakantola/> <https://erc.europa.eu/funding/consolidator-grants>

⁴⁰ “funding from the European Union’s Horizon 2020 Research & Innovation programme” <https://reconnect-europe.eu/>

⁴¹ For example for “Europeanisation meets democracy from below: The Western Balkans on the search for new European and democratic Momentum” <https://www.oiiip.at/en/projects/>

⁴² <https://ec.europa.eu/transparencyregister/public/consultation/displaylobbyist.do?id=52774696782-43>

⁴³ <https://ec.europa.eu/transparency/expert-groups-register/screen/members/consult?do=memberDetail.memberDetail&memberID=72351&orig=group>

⁴⁴ <https://ec.europa.eu/transparencyregister/public/consultation/displaylobbyist.do?id=934329423960-72>

⁴⁵ <https://ec.europa.eu/transparencyregister/public/consultation/displaylobbyist.do?id=927836230818-56>

⁴⁶ <https://ec.europa.eu/transparencyregister/public/consultation/displaylobbyist.do?id=87872442953-08>

Elvire Fabry - Senior Research Fellow at the Jacques Delors Institute (EU-funded⁴⁸)

Julian Voje - Dr. Julian Voje, Head of Policy, Munich Security Conference (which also enjoys some EU funding⁴⁹)

Elmar Brok – former MEP and one of the longest serving German MEPs, former President of the Union of European Federalists (UEF)⁵⁰.

Lyra Jakulevičienė - Dean of the Law School at Mykolas Romeris University (Lithuania). Legal expert of the Odysseus Legal Academic Network (asylum, migration) for Lithuania (EU-funded⁵¹)

Florian Trauner – Professor at VUB university, Director of the Research Centre for Migration, Diversity and Justice, Jean Monnet Chair (EU-funded⁵²)

Rainer Münz - special adviser on Migration and Demography at the European Political Strategy Centre, formerly known as Bureau of European Policy Advisers, is a Directorate-General of the European Commission (EU-funded)

In sum, 17 out of 27 of the listed “independent experts” have a clear professional dependency on EU funds, for example in their capacity as “Jean Monnet Chair”, which can provide them with grants of to 50.000 euro annually⁵³.

On its website, the European Commission explains that Jean Monnet funded programmes do not only entail "teaching and research in the field of European Union studies" but that "EU studies should promote active European citizenship and values" as well, adding that "the Jean Monnet Actions also strive to function as a vector of public diplomacy towards third countries, promoting EU values and enhancing the visibility of what the European Union stands for and what it intends to achieve."⁵⁴

Whether this needs to be funded with EU taxpayers funds is worth debating, but in any case, it's hard to describe those on the receiving end as “independent”.

Furthermore, there is a good chance at least some of the other ten experts may also receive some EU funding, but that isn't clear at first glance.

⁴⁷ https://en.wikipedia.org/wiki/Jean_Monnet_Programme <https://erasmus-plus.ec.europa.eu/opportunities/organisations/jean-monnet-actions-stimulating-teaching-and-research-on-the-european-union>

⁴⁸ <https://ec.europa.eu/transparencyregister/public/consultation/displaylobbyist.do?id=726109217329-25>

⁴⁹ From an EU agency <https://securityconference.org/ueber-uns/partner-und-sponsoren/>
https://twitter.com/EU_ISS https://en.wikipedia.org/wiki/European_Union_Institute_for_Security_Studies

⁵⁰ https://en.wikipedia.org/wiki/Elmar_Brok

⁵¹ <https://odysseus-network.eu/about-odysseus/>

⁵² https://en.wikipedia.org/wiki/Jean_Monnet_Programme <https://erasmus-plus.ec.europa.eu/opportunities/organisations/jean-monnet-actions-stimulating-teaching-and-research-on-the-european-union>

⁵³ <https://erasmus-plus.ec.europa.eu/opportunities/organisations/jean-monnet-actions/jean-monnet-chairs>

⁵⁴ <https://erasmus-plus.ec.europa.eu/programme-guide/part-b/jean-monnet-actions/higher-education>

Once again, it should be stressed that this does not affect the quality of the expert advice. Without any doubt, every single of these people are very knowledgeable in their area of expertise. Unfortunately, however, their expertise is closely related to EU-funding. As with the legal dictum “Justice must not only be done, but must also be seen to be done”, this means that even if these experts are in reality not affected by this financial dependency, the appearance of it already casts doubt on the process. In sum, it means that there is a clear risk that citizens have been provided with advice that was heavily biased in favour of whatever the European Union as an institution prefers. It isn't exactly a secret this is more power and more financial resources for the European Union.

Part 3. The lack of democratic legitimacy of the Conference

After having highlighted how one-sided the kinds of proposals and recommendations coming out of COFOE are (in part 1), as well as illustrating the strong links between the EU institutions and those taking part in the process to provide input (in part 2), the third part of this paper undertakes to more closely assess the lack of democratic legitimacy and representative credibility of the Conference. Due to self-selection bias and an obscure system of selection of citizens and experts at the start, no proper opposition emerges in the later stages of the Conference on the Future of Europe, for example in the working groups preparing the plenaries.

3.1 The similarities with “council democracy”

The whole setup of COFOE does not only remind of French President Macron’s “grand débat”, whereby citizen assemblies were convened in 2018, to assist the French government in its decision-making, and which “ultimately ended inconclusively”, according to the Financial Times, which remarked in September: “Whether the citizens being consulted this time around will be able to navigate the conference’s own bureaucracy — which includes a joint presidency, an executive board and a common secretariat — is another matter.”⁵⁵

Apart from this recent precedent, which is only one among many, COFOE also reminds of the system of “workers’ councils”⁵⁶, born out of revolutionary workers’ movements in Europe after 1900, and supposed to represent a different form of democracy, enabling citizens to more directly take part in the decision making process.

As an academic paper⁵⁷ by Dutch researchers Anthonie Lucardie and Monique Leyenaar explains, this form of democracy “*was propagated by revolutionary movements at the end of World War I in Russia, Germany, and Hungary: mutinous sailors, rebellious workers and disaffected peasants who, through councils, first claimed power at the port, barracks or factory claimed power and then became involved with political challenges.*”

In a council democracy, councils that are elected in companies, schools, hospitals and other institutions elected by the working people make the decisions. The corporations must therefore function democratically and should preferably be owned by the community. In addition, citizens who do not (or no longer) work outside home participate in the decision-making process through neighborhood or neighbourhood councils in the decision-making process. The elected representatives enjoy little autonomy: they often receive a binding mandate from their voters and can be easily recalled by them if they do not meet expectations or if they do not live up to

⁵⁵ <https://www.ft.com/content/1235883a-4e1c-4b58-b379-ba263dae6e95>

⁵⁶ [https://en.wikipedia.org/wiki/Soviet_republic_\(system_of_government\)](https://en.wikipedia.org/wiki/Soviet_republic_(system_of_government))

⁵⁷

https://pure.rug.nl/ws/portalfiles/portal/15055460/2014_Paul_Lucardie_Representatie_zonder_politieke.pdf

expectations. In this way, they take more account of the wishes and interests of the people they represent than representatives of political parties do, [the thinking goes].

Furthermore, a council democracy is supposed to be more effective, since the councils not only exercise legislative power but also executive power.

However, this revolutionary council democracy did not last very long. In Russia, the Bolsheviks managed to establish a party dictatorship through the councils (soviets), even if this only had something to do with councils in name only, while the revolutions in Germany and Hungary were ended by the regular army and reactionary militias in 1919. Despite this sad ending, the ideal of a council democracy has continued to inspire numerous radical movements. For example, the [Dutch] Pacifist Socialist Party (PSP) campaigned in 1977 for a "socialist council republic" in the Netherlands, whereby the people would elect representatives that "are not provided (...) by parties performing an electoral circus, but (...) by (...) forms of organisation in various professional fields" In theory, a council democracy could therefore be more representative, inclusive, responsive and effective than a party democracy, but in practice this has been rather disappointing so far."

Obviously, there are many differences with what COFOE is trying to achieve, but a striking similarity is a profound distrust towards elected representatives. It's important to recall how these kinds of experiments have served authoritarian forms of government in the past.

3.2 Self-selection bias and the "Multilingual Digital Platform"

The Conference's "Multilingual Digital Platform" (MDP) was supposed to be a "hub giving European citizens and European civil society organisations the opportunity to share ideas on the future of Europe, and to host and attend events. It will act as a repository of contributions and documents, and as an interactive tool to share and debate ideas of citizens. The platform is open to citizens, civil society, social partners, other stakeholders, public authorities at EU and national, regional, local level."⁵⁸

Apart from that, the input of the MDP feeds into the so-called "European Citizens' Panels", whose deliberations "are based on citizens' contributions collected from across Europe on the Multilingual Digital Platform, as well as support and presentations from prominent academics."⁵⁹

Interestingly, the spokesperson of the European Parliament and the Director-General of Communication of the institution, told MEPs at a meeting on 3 September 2021⁶⁰ that "those citizens who take part in the platform are usually already part of organized civil society". In other words, also the "Multilingual Digital Platform" doesn't really

⁵⁸ <https://epthinktank.eu/2021/09/09/the-conference-on-the-future-of-europe-2/#:~:text=The%20Conference's%20multilingual%20platform%20is,to%20host%20and%20attend%20events.>

⁵⁹ <https://www.europarl.europa.eu/news/en/press-room/20210915IPR12619/conference-on-the-future-of-europe-citizens-in-the-spotlight>

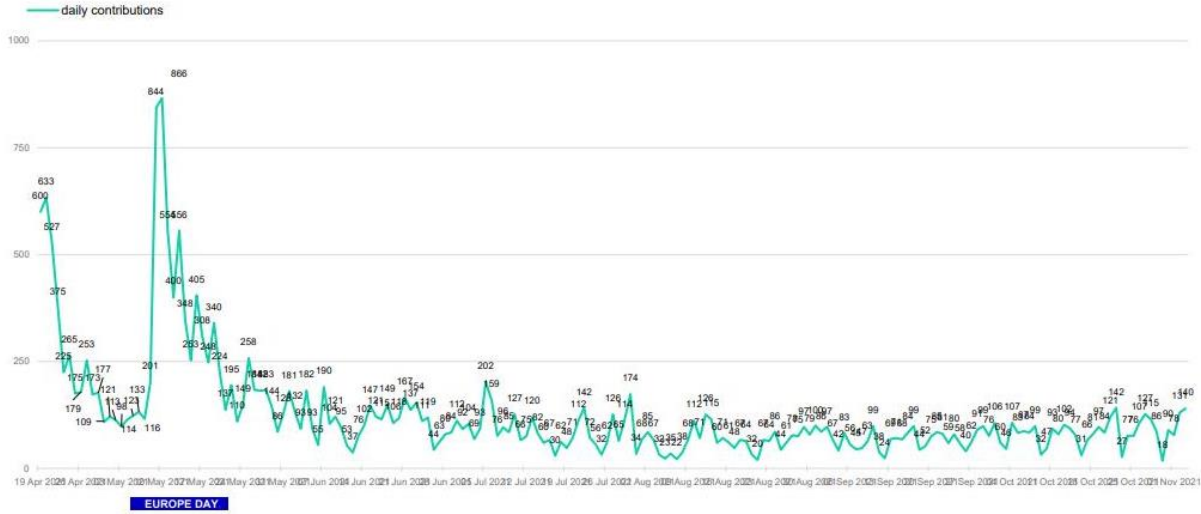
⁶⁰ According to a summary of the meeting

seem to escape the danger of self-selection bias. Perhaps checking the political views of the selected citizens to make sure there isn't a disproportionate number of participants with either integrationist or eurosceptic views may have been a possible solution, but this system has not been applied.

An interim report⁶¹ of 3 November reveals that only 29,012 contributions had been recorded on the platform, "with 9,337 ideas, 16,017 comments and 3,658 events covering all 10 topics". Given how there are around 447 million EU citizens, this isn't much, as it amounts to less than 0,007% of the population. At a 3 September meeting with COFOE executive board member Guy Verhofstadt, German social democrat MEP Katarina Barley concluded this wasn't impressive, also suggesting some of the participants might be EU professionals, asking for information about that.

There is also a clear downward trend when it comes to interest in publishing on the platform, as reported by Kantar public's second interim report. It's noteworthy that the average daily contributions on the digital platform in July barely⁶² amounted to 89.

Figure 1 – Timeline indicating daily contributions (19/04/2021 – 03/11/2021)



Source: *Third Interim report*⁶³

⁶¹ https://prod-cofe-platform.s3.eu-central-1.amazonaws.com/tkxsp2eysxg3poesqmxk3dmkidrh?response-content-disposition=inline%3B%20filename%3D%22Kantar%20Third%20Interim%20Report%20final%20version%20EN.pdf%22%3B%20filename%2A%3DUTF-8%27%27Kantar%2520Third%2520Interim%2520Report%2520final%2520version%2520EN.pdf&response-content-type=application%2Fpdf&X-Amz-Algorithm=AWS4-HMAC-SHA256&X-Amz-Credential=AKIA3LJXGZPDFYVOW5V%2F20211227%2Ffu-central-1%2Fs3%2Faws4_request&X-Amz-Date=20211227T151312Z&X-Amz-Expires=300&X-Amz-SignedHeaders=host&X-Amz-Signature=c7bac7a9ef068d26e2f56b46928b9810681107d26860aac7d0f6197f43e1efbe

⁶² <https://twitter.com/tineurope/status/1438435781664780292>

Apart from that, there also isn't any arrangement to prevent all kinds of special interest groups from using the platform or to check that it isn't abused for foreign "disinformation" campaigns or that valuable opinions are censored under the arbitrary label "hate speech". The fact that one doesn't need to be an EU citizen or even a natural person to take part doesn't help here. Obviously, it is not easy to resolve such challenges, but for the ideas supported on the platform to be acknowledged as somehow representative, these kinds of vulnerabilities cannot be tolerated.

At least there should be a ban on European Parliament and European Commission staff engaging. As employees of citizens, they are supposed to execute the wishes of the European public and in particular how citizens see the future of the European Union. They are not supposed to try to manipulate the debate on this.

In that regard, it's perhaps hard to avoid the secretariat of COFOE having a certain ideological preference⁶⁴. Then someone needs to perform the administrative duties and for example summarize what has been said on the Multilingual Digital Platform. There's the old adage "Quis custodiet ipsos custodes?" or "Who watches the watchers?"⁶⁵ The answer to this challenge is to be watchful to the watchers. A good start to do that is to prevent EU insiders from taking part in the process.

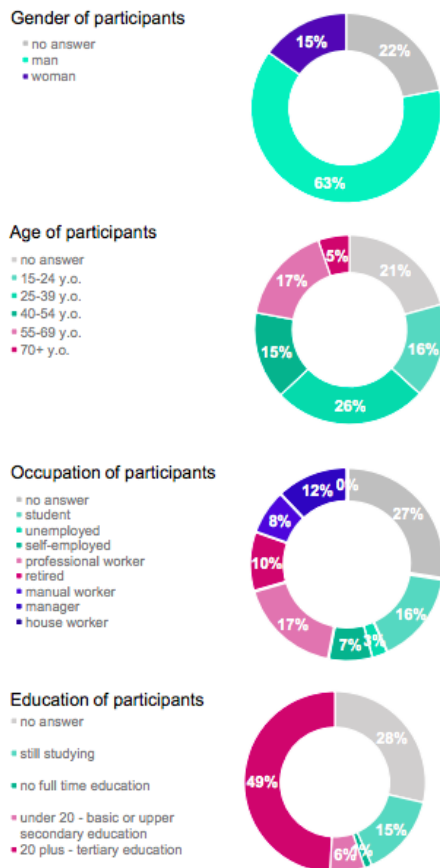
Furthermore, Kantar's statistics also revealed other imbalances that aren't perhaps unsurprising, but that help to undermine claims by the whole exercise that it would somehow be representative:

⁶³ https://prod-cofe-platform.s3.eu-central-1.amazonaws.com/tkxsp2eysxg3poesqmxk3dmkidrh?response-content-disposition=inline%3B%20filename%3D%22Kantar%20Third%20Interim%20Report%20final%20version%20EN.pdf%22%3B%20filename%2A%3DUTF-8%27%27Kantar%2520Third%2520Interim%2520Report%2520final%2520version%2520EN.pdf&response-content-type=application%2Fpdf&X-Amz-Algorithm=AWS4-HMAC-SHA256&X-Amz-Credential=AKIA3LJXGZPDFYVOW5V%2F20211227%2Fcentral-1%2Fs3%2Faws4_request&X-Amz-Date=20211227T180649Z&X-Amz-Expires=300&X-Amz-SignedHeaders=host&X-Amz-Signature=06a1ae5efa2bc061c1e7fa97f8c6af015ee3ec58adec2740655d2892a3d6dfba

⁶⁴ There have been accusations of the officials responsible not sufficiently adopting the concerns expressed in the Multilingual Digital Platform about uncontrolled immigration and the plight of Christians in the world into the "work streams" that are being prepared for each citizen panel.

⁶⁵ https://en.wikipedia.org/wiki/Quis_custodiet_ipsos_custodes%3F

Figure – Age, gender, education and occupation of participants (19/04/2021 – 01/08/2021)



A number of contributions are suspiciously close to the messaging from the many NGO’s and interest groups craving for the EU institutions to take up their cause. The following calls to action can serve as examples:

- “Reviewing the content of FTAs to impose high environmental standards on our partners and counting "imported pollution" in EU climate neutrality”⁶⁶
- “The EU should develop a genuine common foreign and security policy, allowing it to ensure the safety of Europeans while promoting democracy, human rights, the rule of law and environmental protection in its neighbourhood and globally. Coupled with a genuine Defence Union, it should include an EU army overseen by the European Parliament and capable of conducting peacekeeping, humanitarian, and peacebuilding operations globally.”⁶⁷

⁶⁶ <https://futureu.europa.eu/processes/EUInTheWorld/f/16/proposals/2503>

⁶⁷ <https://futureu.europa.eu/processes/EUInTheWorld/f/16/proposals/192>

3.3 The selection process of citizens for the European Citizen Panels

Given that for the European Citizen Panels, there are 4 Panels of 200 European citizens each chosen through random selection, from the 27 Member States⁶⁸, this comes down to around 7 citizens per member state, irrespective of the size of a member state, it can be questioned whether this is in line with the idea of proper democratic representation.

It is worth taking a look at how citizens are being selected based on their contributions to the Multilingual Digital Platform to take part in the “European Citizen Panels”. As mentioned, Kantar Group has been hired to take up this responsibility.

Kantar’s own reports⁶⁹ do provide certain statistics but they do not make clear how citizens are actually being selected.

Professor Alberto Alemanno, involved with COFOE as an expert observer, sheds⁷⁰ some light on this:

“The methodology used, as far as we know (we don’t really have full publicity on this) is to basically rely on the telephone book of Europeans, and to identify 800+ holders of those numbers, to dial them up and to actually invite them to show up on two weekends in different cities of Europe, the first Strasbourg and the second one might’ve been Dublin, Warsaw, or Florence, and basically asking those citizens whether they wanted to come. Some people said no, some invited their family members or colleagues. We still don’t know the percentage of people who turned down the invitation.”

The contract with Kantar has been published⁷¹ on the website of COFOE. Interestingly, it admits how flawed exercises similar to COFOE have been in the past, noting:

“In all previous events such as Citizens’ Dialogues, the Commission has relied on Representations and EDICs to invite participants. The result, research suggests, is that the participants have in general been pro-European and have had higher education than what would have been the result of a random selection.”

It continues:

“By contrast, some experience of randomly selected citizens’ panels, whether at Member States or European level (cf. for example the May 2018 citizens’ panels that has prepared the questionnaire for the Citizens’ Consultations on Europe), have shown attendance by people who have never before participated in any EU event.”

⁶⁸ <https://futureu.europa.eu/assemblies/citizens-panels?locale=en>

⁶⁹ <https://futureu.europa.eu/pages/plenary>

⁷⁰ <https://revdem.ceu.edu/2021/12/18/future-of-europe-its-not-about-treaty-change-its-about-european-democracy/>

⁷¹ https://futureu.europa.eu/uploads/decidim/attachment/file/20890/Specific_Contract_1_-_selection_citizens_panels.pdf

As with regards the “pan-European citizens panels”, Kantar is being asked to deliver the following:

“We would therefore like to invite a randomly selected group of citizens covering geographical origin, socio-economic background, education, gender and age to give the outcome of the discussions a higher credibility. (...) Both panels will take place during the same period of about 9 months, from March 2021 to November 2021 following a methodology that will be developed with the help of another contractor/service provider. The latter will work in close contact with Kantar to ensure the quality and diversity of the panels, as this is a fundamental element of their success.”

The interesting part here is that “another contractor/service provider” than Kantar will assist in developing the actual methodology to come up with “a randomly selected group of citizens”. Given the claims of legitimacy, surely the name of that service provider should also be public.

In any case, Kantar is tasked to specifically “define a methodology for the recruitment of 400 randomly selected participants and a reserve list of 100.”

This to realise the following:

“Recruitment of 400 persons coming from all Member States for two panels consisting of 200 persons each. Each group of 200 persons should be a representative sample of the EU population when it comes to geographical origin, socio-economic background, education, gender and age. For each group of 200 persons an extra 50 should be recruited as reserves. Success and quality of the panels will depend on the degree by which this sociological diversity will be respected. Constant checks on this front will be needed and correcting measures put into place if some of the sociological criteria are not properly met. The Commission and the service provider in charge of the methodology of the panels will need regular reports on how the criteria is met.”

and:

“Keep in touch regularly with all participants from the moment of recruitment up until the start of each panel. This should be done through sending information about the topics to be discussed or other general information about the panel or any other information the European Commission would like to forward to them. European Commission will provide all such information to the contractor.”

What we can conclude, is that it is clear as mud as to how citizens are being “randomly selected”. Surely, a reputed firm like Kantar is unlikely to deliberately engage in manipulating the process, but to avoid any suspicions of the contrary, a lot more sunlight on this is needed, for the COFOE exercise to enjoy any legitimacy. Obvious questions arise as to relying “on the telephone book of Europeans”. Is this in

line with privacy regulations? How to avoid bias, given that few Europeans still use a landline. Or is Kantar then perhaps able to make use of certain public databases?

3.4. Possible improvements

One thing the European Commission could do is to **disclose those “regular reports on how the criteria [are] met” to the public.**

A second measure is to install some kind of **complaints mechanism**. Perhaps the European Ombudsman can be involved here. Currently, it is not possible to appeal against the fact that a certain citizen was selected, and not another one. Perhaps that may not be workable, but then if fairness cannot be inserted into this system, it also shouldn't claim to be a legitimate expression of what European citizens think.

On top of that, as explained, it is also important that **any vested interests of citizens taking part in the citizen panels are disclosed**. After all, this is also an obligation for MEPs. Again, given how the idea is apparently to grant weight to the opinions of citizens in the legislative process, this should come with certain responsibilities and safeguards.

It should go without saying that this should also apply to the experts, and even if it may be hard to find experts dealing with EU affairs that aren't dependent on EU financing, it would make the exercise more objective.

Part 4. Other operational challenges with regards to COFOE

4.1. The lack of outside interest

Another matter which deserves to be mentioned is how COFOE seems to have failed to garner much public interest in Europe, further eroding the legitimacy of the exercise.

Over half of the online panel participants on 5 November declared to not have seen media coverage of CoFoE, also noting that interest at national level was lacking. One participant commented:

“I tried to speak about this to media representatives, but here in Cyprus, Europe seems like something far away”.

What can perhaps help to explain this, is how participants lamented that there was a lack of time for discussion and that, apparently, too many topics had been crammed into a short time window.⁷²

Also data from the German government confirm the low interest in the Multilingual Digital Platform, as mentioned before⁷³, while even the German government also did not⁷⁴ plan any national panels to discuss the topic, despite the nominal support among most German political parties for COFOE.

4.2. The lack of financial transparency

Last but not least, it should also be mentioned that there is a grave lack of financial transparency surrounding COFOE.

Neither the European Parliament, the Council or the Commission is willing to publish how much is being spent on COFOE, despite being questioned⁷⁵ by MEPs to do so. A majority of MEPs even voted to reject a resolution calling for transparency on the financing of the Conference on the future of the Union. 360 MEPs voted against the following text, as only 329 supported it, and 10 MEPs abstained:

“51 a. Notes the setting up of the Conference on the future of the Union; calls for clarification as soon as possible of the conditions for financing this conference and the consequences for the institution’s budget; calls for a commitment to full transparency on the expenditure of this conference, including the keeping of separate

⁷² <https://www.euractiv.com/section/future-eu/news/macron-presents-frances-eu-council-presidency-priorities/>

⁷³ <https://dserver.bundestag.de/btd/19/318/1931895.pdf>

⁷⁴ <https://mobile.twitter.com/huettemann/status/1433683958823374848>

⁷⁵ https://www.europarl.europa.eu/doceo/document/E-9-2021-002516_EN.html

accounts and an audit report by the European Court of Auditors for each year of functioning.”⁷⁶

On questions about Funding of the Conference on the Future of Europe, in October, European Commission vice-President Šuica basically refused to respond to the EU’s elected representatives, as she provided the following answer:

“The three institutions contribute through their own resources according to existing budgets and there is no single budget line of the Conference.

Costs covered or budgeted by the Commission include the development and operation of the multilingual digital platform, the random selection of participants and the organisation of the European Citizens’ Panels with all related costs, such as travel, subsistence and accommodation costs of the participants, interpretation in 24 languages, the technical set-up of the venues and facilitation.

It is not planned to use EU programmes for the funding of the Conference on the Future of Europe. However, Erasmus+ (which includes the DiscoverEU action) and the European Solidarity Corps support civic engagement, youth participation and solidarity activities, which can, in some instances and indirectly, feed into the objectives of the conference.”⁷⁷

At long last, in early December, the Commissioner finally mentioned data, disclosing⁷⁸ to MEPs that had been relentlessly demanding transparency the following:

“As of early October 2021, the total budget contracted by Commission services under contracts specifically signed for the purpose of the Conference is EUR 17.7 million. The budget includes the preparation and implementation of the European Citizens’ Panels, together with an accompanying study (EUR 15.1 million), and the development, management, hosting and moderation of the Multilingual Digital Platform (EUR 2.6 million). (...) The information provided above covers the costs borne by Commission services and does not cover funding provided by the other institutions/co-signatories of the Joint Declaration.”

At the same time, she mentioned that CoFoE “activities are supported via the existing administrative structures of the Commission”, but she still refused to disclose how many working hours are spent by EU officials on CoFoE.⁷⁹

For what it’s worth, writing for EUObserver⁸⁰, Andras Baneth, a former Commission official with the Barroso commission and the author of the Ultimate EU Test Book, the

⁷⁶ To see how individual MEPs voted: <https://www.brusselsreport.eu/2021/05/18/ranking-of-members-of-european-parliament/>

⁷⁷ https://www.europarl.europa.eu/doceo/document/P-9-2021-003795-ASW_EN.html#def1

⁷⁸ https://www.europarl.europa.eu/doceo/document/E-9-2021-004172-ASW_EN.html

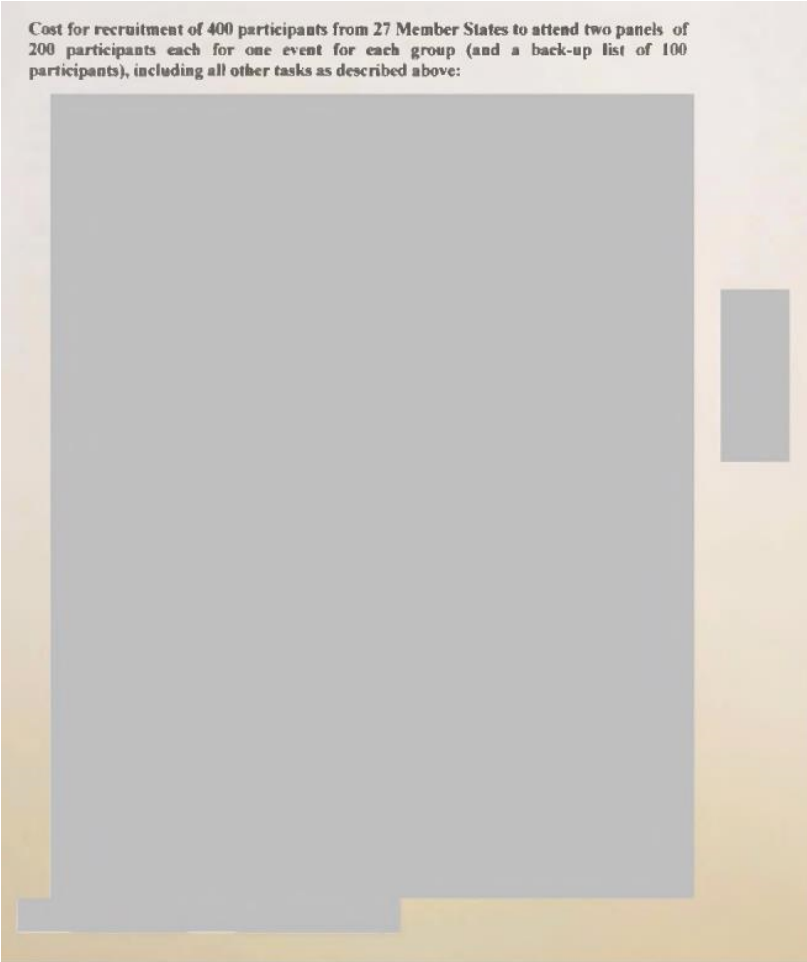
⁷⁹ https://www.europarl.europa.eu/doceo/document/E-9-2021-004172-ASW_EN.html

⁸⁰ <https://euobserver.com/opinion/151540>

best-seller on EU exams for those seeking EU careers, estimates the cost of COFOE to EU taxpayers will amount to 200 million euro. In that regard, he argues to “just cancel the Future of Europe Conference” altogether, predicting:

“After spending an estimated €200m and countless months in meetings, the conference will likely release a grand statement along the lines of ‘making the EU more inclusive, more competitive, sustainable, green’, ‘a united global player’ to ‘fight nationalism and partisanship’ and share ideas of ‘social solidarity and human rights’ around the world.”

A telling example of the lack of financial transparency surrounding the whole COFOE process is how in the contract⁸¹ with Kantar any information is being blacked out on the “Cost for recruitment of 400 participants from 27 Member States to attend two panels of 200 participants each for one event for each group (and a back-up list of 100 participants including all other tasks as described above)”:



⁸¹ https://futureu.europa.eu/uploads/decidim/attachment/file/20890/Specific_Contract_1_-_selection_citizens_panels.pdf

Conclusion

A first conclusion of this paper is how one-sided the kinds of proposals and recommendations that have already come out of COFOE are, with not much change expected.

Secondly, strong links can be established between the EU institutions and those taking part in the process to provide input to COFOE.

Thirdly, COFOE is plagued by a lack of democratic legitimacy and a number of operational challenges, including a murky selection process of experts and citizens as well as an overall lack of financial transparency.

When COFOE's "executive board" will prepare its final report, based on the outcome of the plenary, this will then be supposedly presented as the advice provided by COFOE to EU member states, the European Parliament and the European Commission.

At the time of writing, 3 out of 4 citizen panels still need to adopt their "recommendations" for the upcoming Plenary at the end of January. Looking at the kind of thinking that is prevalent in the citizen panels, it is however already clear that there won't be much of a need for any supporters of EU federalism in the "executive board" to massage the input to their liking. "Self-selection bias" and the disproportionate number of experts dependent on EU financing seem to already have been sufficient in this regard.

In sum, even if the "Conference on the Future of Europe" may have produced a number of interesting ideas that are worth debating, it's very hard to credit the exercise with any legitimacy to actually serve as a basis to determine the future of the European Union.

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