



# 20 RECOMMENDATIONS FOR **MORE** DEMOCRACY IN EUROPE

With the support of



Europe  
for Citizens

***This set of recommendations*** has been prepared by citizens at conferences in seven different countries - Denmark, Latvia, the Czech Republic, Germany, Great Britain, Bulgaria and the Netherlands, together with participants from 18 additional countries - over a period of more than a year.

The conferences have worked in relay-fashion, one conference feeding into the next, as part of the My!Europe project, supported by the Europe for Citizens program of the European Union.

The idea that having non-specialist citizens from different countries discuss together is an important element in building a modern and peaceful world has its roots in the Sonnenberg movement - the Internationales Haus Sonnenberg and the International Sonnenberg Association.

This movement was established almost 70 years ago to promote international understanding and cooperation between ordinary people in Europe, under the guiding principle: "Talk together. Overcome prejudice. Understand one another. Act responsibly".

In three countries the project worked with partners - the Pardubice University in the Czech Republic, the Danish Cultural Institute to the Baltic countries in Latvia, and the German Teachers' Organisation in Bulgaria.

Editing was finalised on November 24, 2016, at a seminar at the Internationales Haus Sonnenberg, St. Andreasberg, Harz, Germany, where representatives of all seven conferences came together.

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This document was worked out in English; in case of disagreements with other language versions, the English-language version prevails.

# Preamble

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**Recognising** the value and significance of the European Union, we wish to contribute to the development of democracy in the EU.

However, Europe needs a rethink, and these recommendations from concerned European citizens should be seen as a contribution to one major aspect of Europe's present crisis, the democratic deficit in the relation between the institutions of the European Union and the European citizens.

Democratic societies tend to be split between their popular aspect and their leadership aspects. Elections legitimise institutional power, but in the ideal situation elections are supplemented by "two-dialogues-in-one" - a constantly on-going horizontal dialogue among voters - as individuals and as members of civic society organisations - and a constantly on-going vertical dialogue with the political and institutional leadership in society.

A lack of democratic dialogue combined with a lack of leadership can open a space to populist movements, which – though often originating from understandable fear and reasonable demands – have a tendency to set up an insurmountable contradiction between "we the people" on the one hand and "elitist" leaders and bureaucrats on the other.

**We are now presenting** 20 recommendations that – taken together – could be tools for politicians to transform the EU's democratic deficit to a working democratic dialogue, regaining people's confidence in the Union's institutions. Many have been discussed before, in different forums, but here they are presented in a comprehensive form, ready for political action.

**Since the Treaty of Rome** the drive for "an ever deeper union" has been the guiding principle for EU institutions. It is time to consider the second part of that phrase, which always emphasizes "among the peoples of Europe".

Some of the recommendations in this paper could be implemented immediately; others should be seen as an input for further debate. Indeed, we feel that the quest for a more comprehensive and open modern democracy, that involves the citizens and makes European cooperation more meaningful, should be taken much further.

# Recommendations

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## A. ACTIVE CITIZENSHIP

### A 1: Education

**We recommend European, national and local initiatives for more and better materials to be developed on the history and cultures of the European peoples and on the historical background of the European institutions. With the support of the EU, materials should be developed for both formal and informal education, and training-of-trainers course set up for schoolteachers and other professionals in all member states.**

One reason why so many people feel that Europe is "distant", is the lack of education on European culture, social systems in Europe and European history, which is in many cases distinctly different from national history.

We are brought up on national narratives, based on national heroes and artists, but even if we all listen to Beethoven or the Beatles, all know a bit of Shakespeare, all watch "Borgen" and all love Michelangelo's sculptures and paintings, there is little attempt to make us aware of a common European narrative.

### A 2: Civil society activities

**We recommend that the budget for civil society activities focused on cross-border and European issues (such as talks, meetings, seminars and events) be raised to 100 million euro per year, and that national governments make additional contributions.**

Today, the main EU support program for civil society activities, Europe for Citizens, has a budget of 26,5 million euro per year.

We recommend that this be quadrupled, as we see a sustained cross-border exchange of opinions at civil society and grassroots level to be a pre-condition for developing a European democracy.

### A 3: Political festivals

**We recommend that cross-border political festivals - dedicated to unfolding the idea of democracy in Europe and to bringing civil groups, politicians, artists and other citizens together - be established in different regions, but open to participation from all of Europe.**

There is a need for a type of cross-border events, where you meet, listen to artists, discuss political issues and enjoy the "unity in diversity" of the European culture, we live in. Political festivals have a well-established history in Sweden and Denmark ("The Almedal Week" in Sweden, the "Bornholm Citizens' Festival" in Denmark), but only as national events and focusing on social and political issues.

In a European context such events should be made regional to reduce travel costs, have more people take part and to make it easier to overcome language problems.

#### **A 4: Travel support**

**We recommend that young people who have completed their 18<sup>th</sup> year are given an Interrail ticket covering all of Europe as a welcome gift in the European society.**

**We also recommend that European travel support funds be established for cross-border citizens' meetings and events, – e.g. at half of the cost of the cheapest ticket.**

**In particular, travel support should be made easily available for international youth exchange groups and for groups representing civil organisations as well as town districts or villages wishing to set up exchanges with defined groups in other European countries, or to visit the EU institutions.**

Even though we travel as tourists, more than any generation before us, cross-border activities are difficult to set up. Therefore it would be very beneficial to set up travel support funds for travel with a purpose, where a wide range of groups and organisations cross borders to meet similar groups in different countries.

Likewise there should be travel support funds for group visit to EU-institutions in order to learn directly about the workings of the EU and to enable citizens to feel part of the EU processes.

The original Interrail program from the 1970's had a tremendous effect in terms of cross-cultural exchange due to its low price. We think this option should now be given for free to young people coming of age in order to let them become acquainted with their European environment.

#### **A 5: Grant foundations**

**We recommend that a decentralized system of grant foundations for civil activities be set up in each country and in regions of over 5 million inhabitants. The foundations should be strictly independent, but thoroughly audited.**

Calling for funding for citizen's activities, which is much easier to approach, less bureaucratic and less centralised than today, we propose a type of grant foundation with independent lawyers, NGO-representatives and people representing art and culture on the board, and a representative of the Commission's national representation office as practical administrator. In large countries, there should be grant foundations in regions of more than 5 million inhabitants.

A somewhat similar type of foundation, the "Europe Board" of the Danish Parliament, has distributed funds for pro-European and EU-sceptic NGOs alike since 1992, when Denmark rejected to the Maastricht Treaty.

#### **A 6: Changes to the ECI (European Citizens' Initiative)**

**We recommend that the European Citizens' Initiative be administered by an advisory body directly under the European Parliament as a direct link between the people and European legislation process. The number of signatures should be reduced from one million to 500.000, collected in a minimum of five countries only rather than the current seven. The functioning of the ECI should be reviewed at five-year intervals.**

Today, you should collect one million signatures from seven different countries to make your voice be heard under the so-called Citizens' Initiative, introduced in the Lisbon Treaty 2009. If you get that far, it is up to the Commission to decide if it will take heed of the proposal.

We recommend that it should instead be tied to the European Parliament and that requirements are lowered to half a million and 5 countries. An issue that 500.000 citizens want to bring forward should at least lead to a debate in the relevant Parliament committee, and a report from that committee should be voted in plenum. To promote the ECI as an instrument for participatory democracy, the EU should support an NGO or an institution that could help the initiators to express their demands in suitable law-making language, so it becomes clear to the citizens and can be meaningfully debated in Parliament. One model to consider could be the Mana Bals Citizens' Initiative in Latvia.

#### **A 7: National citizens' initiatives**

**We recommend that member states establish rules for national citizens' initiatives to make recommendations on particular legislative initiatives to the EU via the Council.**

European citizens need many channels of participation. The Brexit campaign reminds us that in many cases, the debate in one country has a totally different character from any other.

Therefore we recommend that each member country establish rules for national citizens to present a particular legislative initiative, which should, if supported by a certain number of signatures, be introduced to the EU, via the Council.

#### **A 8: Experiments to improve democracy**

**We recommend experiments to improve public debate via the internet and in the form of "deliberative democracy forums" - or discussion assemblies. The Sonnenberg principles of "Talk together. Overcome prejudice. Understand one another. Act responsibly" could serve as a basis for this.**

In modern society, spin and direct manipulation of public opinion play an increasing role, especially at the time of elections or referendums. Therefore it is time to carry out experiments to improve public debate.

Inspired by the Sonnenberg principles, we recommend that one such experiment should be to try out the so-called "deliberative democracy forums" at cross-border

level. Experience with this type of discussion assembly over 2-3 days indicates that people change their point of view on a certain issue after debating its consequences with specialists and fellow citizens

Likewise, experiments with on-line voting in the European elections should be investigated, informed by the Estonian experiences. Some countries in Eastern Europe, notably Bulgaria, have a special interest in this initiative because a large number of their young people have migrated and have to vote abroad.

## **B. TRANSPARENCY, THE RULE OF LAW AND HUMAN RIGHTS**

### **B 1: Council transparency**

**We recommend that all parts of all Council meetings should all be transmitted via internet and TV to make it clearer to citizens how compromises are established.**

As of today, parliamentary plenum and committee meetings are on direct internet TV, as is a limited parts of council meetings. It is an important part of the EU's legitimacy that we know how our ministers and heads of state and governments represent us in European assemblies.

We do not expect half of the European population to sit up late at night to follow such debates. Nor do we expect politicians to make deals only in formal assemblies. But still it is an important tool, e.g. for journalists, researchers and others doing in-depth studies, to have access to debates in all formal forums.

### **B 2: Commission transparency**

**We recommend that the public is given access to the Commission's mail-lists, minutes from meetings and formal, administrative notes from phone calls, - with exceptions to be made only on security issues and on the condition that the ombudsman is duly notified.**

The same arguments apply as above. In a context where interest groups and lobbyists have a strong influence on the Commission's preparation of laws and regulations, we consider it a relevant and important tool for journalists carrying out in-depth research as well as for active civil groups to have access to minutes and mail-lists produced by any staff member of the Commission.

Lobbyists may well bring important information to new law-initiatives, but to make the entire process transparent it is necessary to gather information from all parties and all relevant aspects.

### **B 3: Lobbyist transparency**

**We recommend that existing lobbyist registries should be improved, and that a register should be established for Commission and Council employees, on whom they meet and what is discussed, similar to the one already in place for MEPs.**

Lobbyism is an integral part of modern society, and any group in society should have the chance to present its case. The question is how we can make sure that lobbyism is made transparent at all times, and how we can balance lobbyism with inputs from a wider group of interested parties.

Today lobbyist-registration in Parliament and in the Commission is voluntary, and there are no proper sanctions for not submitting proper information. To make lobbyist

registration effective, it has to be combined with a register for the EU institutions on who meets whom, where, when and on what.

#### **B 4: Balanced lobbying**

**We recommend European funding to help organisations with a large number of members in several countries, but without adequate financial means, to present their case to the EU in a more professional way. As such funding will necessarily have an experimental character at the outset, a review every five years by the European Parliament should look into the balance of lobbying between capital-intensive interest groups and important civil society groups.**

The need for stronger representation of citizens' interests is clear. While business organisations of all types have strong representation and hire well-established lobby firms to serve their interests, ordinary citizens' roles as consumers, employees, students, children, women, men etc. etc. are less privileged.

We recommend a model, which needs further development, and which should be put under review every fifth year.

#### **B 5: Whistle-blowers**

**We recommend that the European Parliament prepare a call, inviting lawyers, jurisprudence researchers and others to present their proposals on how whistle-blowers can be better protected.**

Whistle-blowing is an essential element in modern, complicated society for assuring transparency. It is also a difficult issue as it involves shared loyalties – towards your employer and towards society. We consider it part of human rights that any employee can act on his/her own understanding of right and wrong, and if necessary go against the command of his or her employer.

Sorting out a code of rights for the whistle-blower as well as a code of protection takes judicial expertise. As a first step, the European Parliament should make a call to obtain a range of views on how to proceed.

#### **B 6: Emphasis on the Copenhagen Criteria**

**We recommend that the European Parliament should be the watchdog to see that all member states respect the Copenhagen Criteria on human rights and the rule of law, as well as the further development of these criteria through the Council of Europe. For this purpose, there should be annual hearings of each member state in the European Parliament.**

All countries that join the EU have to live up to the so-called Copenhagen Criteria, i.e. the basic standards, by which candidate countries have been measured since 1993. They are 1) political criteria (stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities), 2) economic criteria (a functioning market economy), and 3) governance criteria (the administrative and

institutional capacity to effectively implement all laws and regulations binding all the EU member states (the *aquis*)).

So far it has proved to be very difficult for the European Commission to act against presumed breaches to the Copenhagen Criteria, partly because the standards represented by the Copenhagen Criteria is not always met in the "old" member states.

We recommend that the same criteria should be used for all, and that a system of annual reviews be set up, to promote peer pressure, encourage a better and clearer human rights situation in "old" member countries, and refresh the commitments of the "new".

## C. A CLEARER POLITICAL FRAMEWORK

### C1: EP right of initiative

**We recommend that the European Parliament should have the right to initiate legislation.**

Today, the European Parliament can propose that the Commission prepares a legislative initiative on a certain matter, but the Commission can refuse to do so.

It follows, however, from the principle of democratic participation that if citizens can convince their MEPs, and if individual MEPs can convince a Parliament majority that a certain matter should be legislated about, the Commission should not have the right to refuse.

### C2: National competences vs. supranational competences

**We recommend that in order to bring European law-making closer to the citizen, national parliaments be given a stronger role in deciding if a certain matter should be part of national or supranational competences. We call upon COSAC, the conference of national parliaments' EU affairs committees, to involve NGOs and think tanks, both at European and national level to discuss old and new models for this.**

The debate on competences has moved away from the idea of fixed "catalogues" indicating which competences belong to member states or to the EU. Instead the sharing of competences is now seen as a constantly on-going power-wrangling process.

In order to strengthen the role of the national parliaments, the Lisbon treaty introduced the idea of "yellow" and "orange" cards. The Commission will send new legislation for information to all national parliaments eight weeks before it is formally submitted to the European Council and the European Parliament. If national parliaments claim that the Commission is intruding unnecessarily into matters of national competence, they can protest to the Commission. The Commission is then obliged to reconsider its proposal, but its proposal is not blocked.

During negotiations prior to the Brexit referendum, the EU accepted the idea of a blocking "red card" (protests by a qualified majority of national Parliaments will effectively block a Commission proposal).

The British House of Lords has proposed that national parliaments should positively accept new Commission legislation initiatives through a "green card" procedure.

The issue is complicated, but of great importance to citizens as it touches upon basic issues of sovereignty and legitimacy.

### **C 3: Election of the Commission**

**We recommend that the individual voters, through the MEPs they elect, shall have a direct influence on the appointment of the new Commission. We propose that NGOs and independent think tanks start discussions and research on the consequences of different types of solutions, including the so-called Spitzenkandidaten-system introduced in the European elections 2014.**

One reason why participation at European elections has been constantly falling since 1979 is that voters do not see a clear relationship between their act of voting and the election of the president of the European Commission. This has to be corrected, so we need a Europe-wide debate on how the voter can be given a much clearer influence on this decision.

The "Spitzenkandidaten" model will be an obvious point of departure as this has already been taken up by the Parliament. It means that each party group will select a top candidate ("Spitzenkandidat") for the post of Commission chairman, and the candidates will then campaign for their party groups all over Europe.

After the elections, the candidate who obtains a majority backing in the new Parliament will be backed by all political groups. Thereby the Parliament follows the norms of democratic parliamentarism, but it contravenes the treaty text, according to which the Council shall propose a candidate to be vetted by Parliament.

Other models should be possible as well. At one of the My!Europe conferences it was proposed that national groups of MEPs should elect a commissioner from their members, and the commissioners should in turn elect from their midst the president of the Commission.

### **C 4: Elections across Europe**

**We recommend that some of the members of the European Parliament – maybe 20 or 25 per cent - be elected through elections across Europe. We call upon NGOs and independent think tanks to start discussions and research on the consequences of different types of cross-border European ballots.**

The idea to bring part of the seats in the European Parliament up for elections in cross-border European ballots has been discussed in depth in the Parliament's Constitutional Affairs Committee 2007-13.

Having a substantial number of seats contested in pan-European elections would lead to cross-border election campaigns. Especially if these are combined with the "Spitzenkandidaten" system or similar reform, the individual voter would be able to choose between a number of political lines, each represented by a name and a "face".

### **C 5: Separation of powers**

**We recommend that a debate on the future structure of a democratic EU respecting the separation of powers known from most European nation states should be initiated at political, grassroots and academic level.**

One of the reasons for the present weakness of the European Union is that ordinary people find the character of its governing structure incomprehensibly messy.

Since Montesquieu's "The Spirit of the Laws", 1748, a clear separation of powers has been the basic principle in setting up democratic structures. For historical reasons, the EU does not, however, follow the principles of a strict division of powers between the executive, the legislature and the judiciary.

A clear separation of powers - emphasising the independence of the judiciary - should be a major theme at next treaty reform, and therefore a debate on the future structure of a democratic EU should be initiated soonest at grassroots and academic level.

### **C 6: The European Court of Justice and the "Ever deeper Union" principle**

**We recommend that the European Court of Justice should no longer have the option to refer to the "ever deeper Union" phrase in the treaties, or "the spirit of the law", when presenting their legal arguments for a new verdicts. Instead it should be restricted to reasoning on the basis of existing legislation.**

The "ever deeper" principle has created a sort of mystique that the EU can extend its powers at its own will. This refers in most cases to the fact that the European Court of Justice could refer to it in its verdicts.

If the EU is to be a democracy legitimized by its electorate and its member state governments, both of which are part in law-making, it would be a logical and clarifying step to deprive the Court of the right to refer to a vague principle, or for the Court to announce that it will refrain from doing so, so that future verdicts can only refer to existing legislation.

# A final consideration

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**When the EU was created** in the wake of World War II, peace was the first priority, rather than democracy. It made sense at the time to establish European cooperation between countries, which had recently been at war with each other as a high-level mechanism more or less shielded from the public eye, and it was, at the time, mostly about customs and trade regulation.

**Today**, EU-laws regulate the quality of the water we drink and the air we breathe, the price you pay for mobile phone calls abroad, and the design of your passport.

In the meantime citizens benefit from better education and the internet provides access to a wide range of information, while social media tools empower the individual to take part directly in public debates. In such an environment, a democratic deficit becomes even more intolerable than before.

**A number of unsolved crises** have made Europe a continent with a lack of trust in the EU establishment and fear about their future.

The euro crisis put EU citizens at the mercy of the "markets" and caused immense social insecurity in many countries. The refugee crisis showed a European Union unable to act, while border fences proliferate. And a number of other crises have been left unsolved.

**To cope** with this new situation, we have to establish an active citizenship where the peoples of Europe talk together, overcome prejudice, understand one another and act responsibly in both European and national contexts.

To make Europe more attractive for active citizens, we need to base our societies more strongly on human rights and good governance. And to make the structure of the European Union more democratic, we need reforms to give the citizen more direct influence on the political process in Brussels and Strasbourg.