Prospects for e-democracy in Europe

Part III: Policy options

STUDY

Science and Technology Options Assessment

Prospects for e-democracy in Europe

Policy options

Study

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Abstract

In order to make e-participation tools at the EU level more successful, we provide four policy options:

1) Stimulate experiments with participatory budgeting in relation to the Regional and Social Funds since e-budgeting produces the strongest results when it comes to impact on decision-making.

2) Expand online engagement with MEPs beyond petitions, particularly through the introduction of a public functionality for posing questions to MEPs and their staff.

3) Create a platform for monitoring Member State actions during Council decisions, since key information is simply not available through ordinary channels.

4) Explore crowdsourcing of policy ideas for the European Commission. Early-stage policy development could benefit from open and frank sharing of ideas between citizens, Commissioners and their staff.

The STOA project 'Prospects for e-democracy in Europe' was carried out by the European Technology Assessment Group (ETAG) at the request of the Science and Technology Options Assessment Panel, and managed by the Scientific Foresight Unit (STOA) within the Directorate-General for Parliamentary Research Services (DG EPRS) of the European Parliament.

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Executive Summary

E-democracy nowadays is a widely applied term and describes a broad scope of practices of online engagement of the public in political decision making and opinion forming. As regards to theoretical concepts of democracy, e-democracy is mostly based on models of participatory and deliberative democracy. Far-reaching expectations of a fundamental reform of modern democracy, through the application of online tools for political participation and public discourse, are vanishing after two decades of e-democracy. There is, however, no doubt that e-democracy adds new modes of communication among citizens and between actors of representative democracy and their constituencies.

Unfortunately, a continuing deficiency with e-democratic projects is a lack of direct, or even indirect, political or policy impact, although many of the provide personal added value for participants and community building. This study investigates how to continue with e-democracy at the EU level in a way that supports public debate, deliberation and community building AND has an impact on political decision-making. The two central research questions are:

- What are the conditions under which digital tools can successfully facilitate different forms of citizen involvement in decision-making processes?
- And how can we transfer these tools – and the conditions which make them successful – to the EU-level?

This executive summary starts with a short description of the research design and continues with the results from the literature review on building up a European public sphere by using digital communication and e-participation. Based on a case analysis, the summary proceeds with a description of six necessary conditions for e-participation tools to have an impact on political decision-making and agenda-setting. We conclude with policy options to improve e-participation at the EU level.

Research design

The research design consists of three elements:

1. Systematic literature review of around 400 seminal publications about: 1) e-participation in the context of decision making, 2) democratic impacts and effects, 3) lessons regarding success and failure, 4) application on EU level and 5) the European public sphere.

2. Qualitative comparative analysis (csQCA) of 22 case studies at the local, national and European level. The case studies are based on desk research and 45 interviews with organisers and researchers and can be categorized in five groups: 1) **Websites that monitor politics**: TheyWorkForYou, Abgeordnetenwatch.de, 2) **Informal agenda setting tools**: Petities.nl (Dutch e-petitions site), Open Ministry Finland (crowdsourcing for law proposals), 3) **Formal agenda setting tools**: constitution Iceland (crowdsourcing for a new constitution), Future Melbourne Wiki (co-creating a city planning vision), Predlagam.vladi.si (Slovenian platform for e- proposals and e-petitions), European Citizens' Initiative (citizens' proposals for new EU laws); Participatory budgeting in Berlin-Lichtenberg, Internetconsultatie.nl (Dutch e-consultation on draft legislation), Futurium (consultation on EU - digital- policy making), Your Voice in Europe (public consultation on EU policy), European Citizens' Consultation (pan-European consultation on the future of Europe), 4) **Non-binding decision-making tools**: Pirate Party Germany, Five Star Movement, Podemos,participatory budgeting Belo Horizonte, participatory budgeting Paris, Betri Reykjavik (Participatory Budgeting and agenda setting tool), 5) **Binding decision-making**: e-voting in Switzerland, e-voting in Estonia and e-voting for Spitzenkandidaten in the 2014 EP elections within the Green Party.

3. Assessment of EU suitability, via desk research and experts on the EU level, about 1) Improving existing digital tools and 2) new possibilities for e-participation at EU level.

This part of the report consists of the findings of phase 3: the assessment of EU suitability.

The results of the suitability assessment: policy options to improve e-participation at the EU level

The discussion about increasing openness and participation at the EU level often centres on regulatory reform, such as further improvement of the legislative function of the European Parliament or more formal rights for citizens to voice their opinions or consultations like Civil Society Organisations have. However, no matter which regulations are put in place, openness in administration is just as much a matter of culture as it is one of formal structures. To address the space of possibilities available to the European institutions within already existing formal structures, the conditions above provide guidance to make progress with existing e-participation practices at the EU-level. Additional recommendations for existing EU e-participation practices can be found in the policy brief and the final report.

By proposing new options for e-participation tools at the EU level, we were particularly inspired by the e-budgeting cases, the monitoring websites and a crowdsourcing tool. For the e-budgeting cases all the conditions considered relevant as described above applied and actual impact on decision-making was observed as well (see option 1 below). Although the monitoring websites do not have an actual effect on decision-making – which is not their aim either –, the European public sphere does benefit from such a tool, which could be even enhanced by adding new features (see option 2 and 3). A tool to crowdsource policy ideas in interaction with policy-makers would create an informal forum for co-creation (see option 4).

1. *Experiments with participatory budgeting in relation to the Regional and Social Funds*. E-budgeting produces the strongest results when it comes to impact decision-making. Moreover the e-participatory budgets lead to increased transparency and enhanced responsiveness. In the literature additional benefits such as improved public services, accelerated administrative operations, better cooperation among public administration units and positive contributions to the political culture and competences of participants are identified as well. Because face-to-face interaction and a certain rootedness in local situations are characteristic of all successful cases of participatory budgeting, the obvious option is to relate to the EU budget in Regional and Social Funds. The Regional Development Fund as well as the Social Fund both already assign significant decision-making authority about the spending of these funds to the local or regional level.
2. *Expand online engagement with MEPs beyond petitions*, particularly a public functionality for posing questions to MEPs and their staff and a blogging functionality where MEPs can share work-in-progress and receive input from interested citizens. For such additional tools to have an effect on the relationship between European citizens and their MEPs, they would have to be both technically and strategically integrated with social media and mass media.
3. *Create a platform for monitoring member state actions during Council decisions*. Much of the information needed to establish such accountability is already available, either through the common EU web-platform, civil society services such as votewatch.eu, and the web portals of national governments and parliaments. However, this places an unfair, and for most people prohibitive, burden of information gathering and analysis on citizens; key information is simply not available through ordinary channels.
4. *Explore crowdsourcing of policy ideas for the Commission*. Early stage policy development could benefit from open and frank sharing of ideas between citizens, Commissioners and their staff. A crowdsourcing mechanism as we propose could help to facilitate interactions between citizens and decision-makers in an informal way. It would be a platform to gather ideas for policy formulation

downstream by giving decision-makers and their staff a forum for gaining immediate feedback on tentative ideas and considerations.

With regard to *e-voting,* far reaching hopes of increasing electoral participation or even fostering a democratic culture of participation have not been fulfilled so far, as the analyses of various cases within Europe where internet voting has been introduced show. It is not only the convenience aspect that influences the decision of whether a citizen votes or not, but rather political reasons such as political interest or satisfaction with the political system. Internet voting cannot technologically fix these kinds of challenges. On top of that, security issues around e-voting still remain present.

Finally, we would like to point out that most striking from a cross-cutting perspective of e-participation at the EU level is the serious weakness regarding follow-up and learning efforts on the side of responsible organisers in the interest of improving existing mechanisms and the development of new ones. The core question for a strategy of improving participation while staying within existing formal frameworks seems to be: What is the common unifying vision? As long as each of the existing mechanisms and experiments remain stand-alone mechanisms with discrete functions and implementation programs, the EU will remain an opaque jungle to the average citizen. If, on the other hand, a unifying vision of moving gradually towards an organic European participation infrastructure was agreed upon by all involved actors, the currently separate efforts of different institutions and services to open up European decision-making could begin to build on each other, rather than carving out separate corners of what might appear to citizens to be a bureaucratic universe. Therefore, we would advise to work towards a coherent European e-participation infrastructure, including for example a one-stop shop for e-participation to provide synergy between the EU institutions.

1. Introduction

"*There exist more opportunities than ever before for citizens wishing to have their say, via the media or directly to local and national governments, but there is a more pervasive sense of disappointment than ever before that citizens are outside the citadels of power, and that those within do not know how to listen to them.*" (Coleman and Moss 2012: 4)

According to the UN's e-participation index (UN, 2016), e-participation is expanding all over the world. The index measures e-participation according to a three-level model of participation including: 1) e-information (the provision of information on the internet), 2) e-consultation (organizing public consultations online), and 3) e-decision-making (involving citizens directly in decision processes) (UN, 2016: 54). In the present report we reserve the term 'e-participation' for all forms of political participation making use of digital media, including both formally institutionalised mechanisms and informal civic engagement.

The drivers behind e-participation are digitalization, the development of digital tools that can be used for citizen involvement – social media, deliberative software, e-voting systems, etc, and the growing access to the internet. In European countries, especially those which rank prominently among the top 50 performers, citizens have more and more opportunities to have their say in government and politics. According to the UN, the largest share of e-participation initiatives relates to central and local governments giving access to public sector information and public consultation via digital tools. Recently there has been a growing focus on citizen involvement in policy-making, although progress in this field has been modest so far.

A democratic deficit

However, it is not only digitalization that has been advancing e-participation. Nowadays many European citizens are invited, especially by their local governments, to be more involved. Because of the economic recession and budget cuts, civil service reform and de-centralization of public tasks, citizens are now expected to be more self-sufficient (i.e. taking over activities that were formerly public services). At the same time, citizens themselves actually want to be more involved. The UN report (2016: 3) states that "*advances in e-participation today are driven more by civic activism of people seeking to have more control over their lives.*" This is confirmed by surveys such as the European Value Studies (2008) where the majority of European citizens indicate they want to be more involved in political decision making.

From other surveys it is clear that many European citizens do not feel as if their voice counts or their concerns are taken into consideration. For example, in the European Social Survey (2014), the majority of the respondents gave a negative reaction to the question "*How much would you say the political system in your country allows people like you to have a say in what the government does?*". The same holds true for the question: "*And how much would you say that the political system in your country allows people like you to have an influence on politics?*". When it comes to the EU, the Eurobarometer tells us that exactly half of the EU citizens disagree with the statement that their voice counts in the EU. And in almost all European countries there was an increased number of respondents that disagreed with the statement that the European Parliament takes the concerns of European citizens into consideration. In general, it was a majority of 54% that disagreed with the statement.

This 'democratic deficit' (Grimm 1995) at the EU level is also felt by EU officials and EU parliamentarians. EU politics as executed by the European Commission and the European Council is lacking democratic legitimation and responsiveness to European citizens. The fact is that the roles and powers of the European Commission are growing while the European government has no direct accountability to the European citizens. It is enacted and controlled by a multilevel system of policy making and often operating outside the control of formalized systems of representative democracy. The

trust in European governmental and political institutions by European citizens remains quite low: according to the [Eurobarometer,](#) 46 per cent of European citizens tend not to trust the EU.

Expectations of e-democracy

E-participation and in a broader sense e-democracy - the practice of democracy with the support of digital media in political communication and participation – are seen as a possible solution for democratic shortcomings at the European level (as well as on the local and national level). From the start, and especially in the 1990s, the expectations for renewing democracy through new media were far reaching. Those hopes were based on the idea that e-democracy could strengthen the ties between the sovereign, the citizens, and their political representation - governments and policy makers. It was expected that new technologies would facilitate direct communication, allow more transparency of decision making, and increase the responsiveness of public authorities to the needs and expectations of the constituency, all things which would lead to a revitalization of democracy.

However, after a few decades of e-democracy and e-participation practices on all levels of policy making from municipalities to transnational bodies, the reality has been sobering. After 25 years of e-democracy, Jan Van Dijk - a scholar of e-democracy – concludes that, up until now, the primary achievement of e-democracy has been a significant improvement in access to, and the exchange of, politically relevant information. Evidence on the realization of e-democracy supporting public debate, deliberation and community building was mixed, and – most disappointing from the perspective of direct democracy – "*no perceivable effect of these debates on decision-making of institutional politics*" was detected (Van Dijk 2012: 53 ff). Furthermore, van Dijk asserts that e-participation is largely confined to the initial and the final stages of the policy cycle, and that it rarely allows for entries into the core stages of decision-making and policy execution. This is more or less (still) in line with the UN report on e-participation (2016) which states that there is a modestly growing focus on citizen involvement in policy-making. Although the initial high expectations can be so adjusted, e-democracy and e-participation are a reality and both have changed the communication between citizens and governments in, without a doubt, many beneficial ways, for example by providing better and faster access to all kinds of public information for citizens, procedures of e-consultation or e-budgeting. And in this decade, social media have been offering a new mode of direct political communication among citizens, communities and policy makers.

In this study – taking the STOA report from 2011 as a starting point – we investigate how to continue with e-democracy at the EU level in a way that supports public debate and has an impact on political decision-making. We start from the viewpoint that e-democracy is one of several strategies for supporting democracy, democratic institutions and democratic processes, and spreading democratic values. Its main objective is the electronic support of legitimate democratic processes and it should be evaluated on these merits. In other words, e-democracy is additional, complementary to, and interlinked with, the traditional processes of democracy (Council of Europe 2009: 11). Or as the Council of Europe also states in its recommendation on e-democracy: e-democracy is, above all, about democracy.

Research questions

In order to investigate how to continue with e-democracy at the EU level, 22 cases of digital tools have been analysed and compared. A short explanation of each of the cases can be found in the ANNEX. The majority of the cases (15 of the 22 cases) was individually requested in the project specifications, as defined by STOA. The 22 cases:
- are organised at different political and governmental levels (local, national, European);
- enable citizen involvement at different stages of political decision-making (agenda setting, decision-making and monitoring);

- are possibly suitable to be implemented and used at the EU level in order to counteract the deficit in European democratic processes.

The two central research questions that will guide the analysis are:

- What are the conditions under which digital tools can successfully facilitate different forms of citizen involvement in decision-making processes?
- And, how can we transfer these tools – and the conditions which make them successful – to the EU level?

Our study is divided into three phases:

1. A literature review with a particular focus on the most recent and relevant literature;
2. An empirical assessment and comparison of 22 cases of digital tools;
3. Lessons for existing EU e-participation tools and new options to improve e-participation at the EU level.

This part of the report consists of the findings of phase 3: the assessment of the digital tools for use at the European level.

2. Options for improving e-participation at the EU level

This section of the report discusses options for improving e-participation at the EU-level. The discussion in this section makes creative usage of the findings in the case studies of the previous section to explore options for improvement of existing participatory mechanisms at EU-level as well as the invention of new ones.

The first step in this discussion is to outline the challenges that the specific institutional arrangements of the EU present in relation to the development and implementation of e-participation. Our main emphasis, however, is on options for improving participation through digital means within existing institutional frameworks. The second step of this section therefore is to revisit already existing mechanisms and discuss options for additional ones.

Rather than an attempt at systematically presenting and evaluating all logically possible applications of the tools, which were analyzed in the previous section, we attempt to use the findings from the case study to identify the 'low-hanging fruits'. We take such low-hanging fruits to be those changes or additions to EU-level participation mechanisms that might make a significant difference without demanding changes to existing mandates.

This section ends with a discussion of how a unified approach to e-participation could provide a common access point, not only to participation in the processes of the EU-institutions, but in the entire multi-level construction of European governance. Along the way, we seek to provide concrete suggestions for small steps towards such a unified approach and to take into account risks and potential pitfalls to be avoided.

2.1. Institutional architecture and decision-making

Identifying suitable approaches and tools for e-participation at the European level demands first of all that we outline the EU's specific institutional architecture and the prevailing patterns of governance in the European Union need to be taken into account. These established institutional structures and procedures represent important enabling and constraining conditions not only for formal opportunities for citizens to influence European decision-making, but also for the potential uptake of e-participation tools and practices. As it can be assumed that the readers of this report are well acquainted with the EU, box 9 provides a very brief overview of the general institutional logic and the main institutions. The rest of this section explains the most important processes of rule-making, and the areas of competence of the European Union as codified in the so-called Lisbon Treaty of the EU (Treaty of Lisbon 2007).

In many ways, the European Union is a political system *sui generis*. As such, the EU combines elements of a supranational body, a joint federation of states and few characteristics of genuine statehood. At this stage, the EU is not a fully sovereign state, and whether it will be is a matter of fundamental contestation (e.g. Nicolaïdis 2013). This unique setting is reflected in the EU's institutional structure and the related decision-making processes. Among the most notable characteristics is the EU's duality as a union of citizens and a union of Member States (Sturm 2010). This duality is expressed in the roles of the European Parliament – the representative body of the European citizens -, and the Council of the European Union which represents the member state governments. Another striking feature of the Union is its multi-level governance, which blurs in everyday practice the distinction between national, international and federal governance (Piattoni 2009). The EU's complex institutional design is not based on a constitutional blue print, but is the result of numerous integration steps and incremental reforms, often accompanied by contention and tough negotiations between the Member States (Wallace et al. 2010: 70ff.).

2.1.1. Design and functions of the institutional core of the EU

Four of the EU's seven main bodies constitute its institutional core: the European Council, Council of the European Union (Council), European Commission (EC) and European Parliament (EP). The European Council can be qualified as the highest political body of the EU. Consisting of the heads of state or heads of government of the currently 28 Member States, the European Council defines the general direction and the key priorities of the EU. While this institution determines fundamental policies, it does not have any formal legislative powers.

In most policy areas of the EU, these legislative powers are equally shared between the Council of the European Union and the European Parliament. The Council of the European Union (or Council of Ministers) is composed of ministers of the Member States and meets in different compositions according to the respective policy area on the agenda. In some areas, the Council also holds certain executive functions in the EU's Common Foreign and Security Policy. The Council applies three different voting rules, but in most cases decides by double majority (at least 55% of the government and at least 65% of the EU citizens) (Weidenfeld 2011: 149ff.).

The other part of the legislative branch is the European Parliament (EP). Currently consisting of 750 (plus the president of the EP) directly elected members, the EP by and large enjoys the same legislative powers as the Council. Most legislation and the budget cannot be passed without its support.

The European Commission (EC) can be seen as the executive branch of the EU. According to the Lisbon Treaty, the president of the EC needs the support of a majority of the EP. The candidate for president is proposed by the European Council, but this proposal needs to take into account the majority situation in the EP. The EP can also remove the Commission with a vote of non-confidence, but the threshold is exceptionally high, requiring a two-thirds majority. Each member state is entitled to one Commissioner in the cabinet-like government. While these are nominated by the member state governments, each Commissioner needs to be approved by both the EP and the European Council. The most important functions of the EC are the right to initiate legislation, supervision of member state compliance with European law, the administration of the budget and the implementation of several policies and programmes of the EU. However, with regard to the later point, the EU's executive functions are shared by the EC, the Member States and, in some cases, independent regulatory agencies.

2.1.2. Competences and policy areas

An important feature of the EU's political system is the principle of conferral, meaning that only those matters explicitly handed over to the European level fall into the EU's jurisdiction, all other matters are retained by the Member States. Phrased differently, the EU cannot attain additional competences on its own right. This is combined with the principle of subsidiarity, which means that only those matters should be dealt with at the European level which can be realised better than at the national level. According to the Treaty of Lisbon, the EU's competences are divided into three categories: exclusive competences, competences shared with the Member States and those where the EU is merely supporting and coordinating the policies of the Member States. Exclusive jurisdiction covers the areas of the customs union, the establishment of competition rules within the common market, the monetary policy for those Member States sharing the Euro as a currency, common trade policy and the common fisheries policy aiming at conservation. Shared competences cover areas such as the internal market, certain areas of social policy, economic and social cohesion, agriculture and fisheries, environment, transportation, consumer protection, trans-European networks, and the area of freedom, security and justice. The weakest role of the EU concerns the coordination and support of member state policies in areas such as culture, tourism and education. Due to this specific distribution of competences and the entanglement

between the levels of government, a large share of the legislation at member state level is a response to and cause of EU initiatives and regulation.

Box 1. Is European policy too technical for ordinary citizens?

A traditional counter-argument against increasing the dialogical interaction between EU institutions and its citizens is that European policy matters are 'too technical' for ordinary citizens; either in the sense that lay people do not have the patience for the highly detailed concerns of international bureaucracy, or in the sense that the average citizen is simply not educated enough to understand the complexities of the societal developments that the EU and its Member States seek to govern. The persistence of this argument in European policy circles is – striking since European institutions and organizations have been frontrunners in the development of participatory approaches and the democratization of expertise in many cases (as evidenced by the EC White Paper on Governance (EC 2001); see also Rask, Worthington and Lammi 2012, Nielsen and Klüver 2016). Looking beyond ongoing debates about the democratic *obligation* to ensure opportunities for the participation of citizens, the *relevance* of public engagement was captured by Jassanoff (2003) (precisely with reference to experiences in research and innovation policy), when she posited open and frank dialogue with lay people as a 'technology of humility' to counteract the threat of institutionalized hubris arising from institutional group-think and the closed circuits of international epistemic communities. Centrally, the European science policy scene has served as a fertile ground for the development of best practices for establishing dialogues between citizens and decision-makers on technical matters of technology assessment and foresight (see e.g. Kuhn et. al. 2014). Public engagement has become consolidated as a central element of European research and innovation governance with the turn to societal challenges and the agendas for 'open' and 'responsible' research and innovation (cf. the Lund Declaration, the Rome Declaration and EC 2016). Nevertheless, the idea that European policy is too technical for ordinary citizens to become involved is difficult to dispel by the provision of counter-evidence. Because, ultimately, the meaningfulness of well-structured lay people dialogues feeding into 'technical' decision-making is something that must be experienced to be believed. For this reason, it remains necessary for institutional actors who have first-hand experience of well-run participation processes to act as advocates by sharing their experiences. At the same time, it also remains necessary that those who conduct participatory one-off experiments - in the context, for example, of the H2020 programme or the Europe for Citizens programme – involve institutional actors to allow these actors to experience participatory processes first-hand and make up their own minds about their relevance.

2.1.3. Rules for decision-making

Primary European law is codified in the Treaty on the European Union (TEU) and the Treaty on the functioning of the European Union (TFEU) (European Union 2010), together often called the Treaty of Lisbon. In order to enter force, the treaties need the support of and ratification by all Member States, thus considerably raising the hurdles for any treaty revision. This primary law defines how secondary law of the EU is established and enters force.

Secondary European law comes in three different types with different degrees of obligation. Regulations are similar to national law as they are binding for all Member States and citizens. Directives only require Member States to achieve the goal as defined in such a directive, the concrete measures are at the discretion of the Member States. And decisions are legally binding for specific Member States, individuals, or companies.

The treaties have established different legislative processes, at the centre of which the EP, the Council and the EC play the decisive role. In most case, the EC has the sole right to initiate legislation, but both the EP and the Council can call on the EC to table a draft bill. Which of the different legislative

procedures will be used is dependent upon the respective policy area. Since the Treaty of Lisbon, the most common procedure is the ordinary legislative procedure which requires the support of both the EP and the Council for a bill to be passed (Weidenfeld 2011: 154ff.).

2.2. Institutional weaknesses and proposals for reform

- **Citizens have less rights to voice and consultation than Civil Society Organizations (CSOs)**
  Already prior to the enactment of the Lisbon Treaty in 2009, the often cited democratic deficit and the legitimacy crisis of the EU (see part 1 section 3.3.2) have triggered discussions on how to better involve European citizens in the decision-making processes of the EU. At first sight, this "*participatory turn*" (Saurugger 2010) seems to be more than mere rhetoric as the aim for more and better involvement of civil society and the citizens has entered a number of official policy documents, most prominently the EC's White paper on Governance (Commission of the European Communities 2001). Yet, a closer look at both the debate and the formal framework within which such an increased participation could take place, cautions us to expect too many advances in citizen participation.
  First and foremost, it is important to note that according to the Lisbon Treaty (TEU, Art. 10), the EU is explicitly based on principles of representative democracy. Second, Art. 11 of the TEU contains a number of provisions complementing the principle of representative democracy: In clause 1, citizens and associations are given a right to voice their views. And clause 2 requires the institutions to "maintain an open, transparent and regular dialogue with representative associations and civil society." Comparing the two provisions, citizen involvement is explicitly defined as voice and consultation and remains rather noncommittal. This gives citizens less rights in decision-making processes compared to civil society organisations (CSOs) which receive a formal guarantee to be heard and involved in dialogue (Fischer-Hotzel 2010: 340). Against this background and taking into account the debate, Fischer-Hotzel (2010: 339) points out that for many "participatory democracy" at the EU level actually means "associative democracy" and the inclusion of CSOs in the processes of decision-making. It is a common critique in general on (digital) participatory processes that they are monopolized by established political actors (parties, associations or movements) and that ordinary citizens are not heard as much. In 11 of the studied cases we found that both established organisations but also professionals are heavenly involved in the digital tool, this includes all four of the cases at the EU level we have studied (Voice of Europe, European Citizens' Initiative, European Citizens' consultation, Futurium).

- **Improved legislative functions of the European Parliament but still no right to directly initiate legislation or ability to effectively hold the EC politically accountable**
  Structures for representation at the EU level have arguably improved considerably over time. The Lisbon Treaty addressed many of the institutional problems that were frequently criticised in debates about the EU. Most importantly with regard to the democratic deficit and related legitimacy problems of the EU, the EP's position, which is the EU's only directly elected institution, was considerably strengthened. Clearly, the Lisbon Treaty has taken substantial steps towards an effective parliamentarization of the EU. For the most part, the EP has become an equal player in legislative processes and spending decisions, thus significantly increasing at least the formal democratic legitimacy of most European regulation (Oppelland 2010: 87f.). Still missing is the right to directly initiate legislation – a function that continues to rest with the EC. In addition to the improved legislative functions, the EP gained important electoral functions as the president of the EC and the Commissioners need to be approved by a majority of the EP. Any nomination for EC presidency by the European Council has to take into account the majority situation in parliament. However, the EP's ability to effectively hold the EC politically accountable remains weak as the threshold to dismiss a Commission with a vote of non-confidence is extremely high (2/3 majority). It is unusual that the threshold for non-confidence is higher than the requirements for election. One

rationale for this atypical design feature might be that the EC president does not have the prerogative to dissolve parliament (Oppelland 2010: 88).

- **Continuing de-coupling of the European political system from the processes of political will-formation of the European citizens**
  While important institutional improvements have been achieved, the political processes of the European Union still do not sufficiently fulfil key functions of representative democracy. Most importantly, election campaigns for the EP continue to be primarily driven by national perspectives. In addition and related to this observation, the political parties and parliamentary factions in the EP are currently not divided into recognisable majority and opposition groups competing for different policy solutions. The dominance of informal grand coalitions of the largest parties in the EP makes it difficult for the public and the citizens to hold the members of the EP and their parties accountable. This points to the currently most crucial deficit of the European Union, as emphasised by e.g. Habermas (2008: 98f.): the continuing de-coupling of the European political system from the processes of political will-formation of the European citizens. First noteworthy improvements in this regard have been achieved with the introduction of the so-called "*spitzenkandidaten*" (top candidates) of the main political party families participating in the elections for EP in 2014. From this perspective, the next logical step would imply that not only the president of the EC would be backed by a majority of the EP, but also that EC president and Commissioners are more often than not elected from the midst of parliament, thereby establishing a more visible linkage between parliamentary majority and executive actions of the EC. However, care needs to be taken that this type of party politicisation of EU politics remains compatible with the requirements of negotiation between different member state interests (Lippert 2013: 13) and sufficiently takes into account the interests particularly of smaller Member States.

2.3. The role for e-participation

However one views the state-of-play of European integration, there are good reasons to explore pragmatic options for citizens to voice their concerns and ideas. The long-standing and continuing democratic deficits of the EU are rooted in a complex and mutually reinforcing mix of institutional design features, lack of a genuine European public sphere, and insufficient politicization of European politics as such. Redressing these problems is ultimately a constitutional matter and far outside the range of what e-participation can achieve alone. However, if properly designed and implemented, e-participation has the potential to contribute to promising solutions in the areas of accountability and transparency, transnationalisation and politicisation of public debates, and the improvement of exchanges and interactions between EU decision-making and European citizens.

2.4. Challenges specific to e-participation at the EU-level

A number of challenges arise from the specific institutional structures of the EU, which must be taken into consideration for any attempt at improving channels for e-participation at the European level.

2.4.1. Language

A major challenge to e-participation at the European level is language. With 24 official languages, translation is a major element of the running cost of the EU. Various of the European-level cases address this in different ways.

The institutionalized mechanisms range from relying on English as a working language to full translation of all major content into all official languages. Your Voice in Europe clearly privileges English speakers by treating English as a *de facto* lingua franca. The platform provides all consultations in English and only a few additionally in one or more of the major languages (German, French, Italian,

Spanish). Written contributions are accepted in all official EU languages. But with the English-only availability of core information, such as the questions to be answered, the platform has a clear choice built-in that shapes *a priori* the demographic of possible participants decisively. The ECI strikes a middle ground. The platform provides all information about the mechanism in all official languages. The platform also accepts initiatives written in all official languages, but translation into other languages is the responsibility of the initiator ([website](), accessed on 18 February 2017). With this demand in mind, it is quite impressive to see that the six currently open initiatives all seem to provide most relevant text in many if not all of the 24 official languages. This demand, however, clearly favors well-organized campaigns over more loosely affiliated individual citizens as initiators. The EP Petitions Portal is clearly the most multi-lingual of the institutionalized mechanisms. The portal allows submission of petitions in all official EU languages, and summaries of the petitions are translated into all official languages and made available to the public. Furthermore, video of meetings in the Petition Committee, where petitions are discussed and petitioners sometimes are invited to make their case, are made available online with the option to elect translated sound in each of the official languages. It should be noted that the working language in these meetings is typically English. It is also important to note that that the translation efforts of the EP, from which the e-participation platform benefits, would take place in any case. In this case, the e-participation mechanism is thus able to piggy-back on already allocated translation practices and resources.

Experimental platforms seem to have a narrower range, generally privileging English as a working language. For example, the Futurium platform is English only, while the CIMULACT project mixes national co-creation workshops in national languages with cross-European workshops and reports, where the working language is English. Neither of the two thus provide full translation in all available languages, which – according to Smith (2013:202ff) – is a general tendency.

There thus seems to be a pattern whereby e-participation platforms at the European level mimic the underlying institutional working mode with regard to working languages and resources committed to translation. This tendency is corroborated by the only one among our case studies in which a non-EU e-participation mechanism makes use of multiple languages, namely the Swiss e-voting platform. On this platform all information is made available in all official languages, which is traditional for the underlying canton institutions. In this case, the translation workload is lightened considerably by the fact that the mechanism is a voting mechanism without deliberation.

It is a well-known dilemma of the European Union that full inclusiveness demands considerable investment in translation while full efficiency privileges English as a working language. Considerable investments in new tools for digital translation have therefore been ongoing since at least the first Framework Programme for Research and Development. However, the promises of digital translation have long seemed a mirage; always on the horizon and never quite as good as expected. Despite these setbacks, a new wave of optimism exists around translation software based on artificial intelligence and so-called deep learning ([website](), accessed on 18 February 2017). One recent paper thus claims that a new version of Google's translation software was scored by observers to have a degree of fluency in the translation of random sentences from English to Spanish, which was very close that of human translators (5.43 on average compared to 5.55 for humans). It is outside the scope of this report to assess the plausibility of such claims and the implied hopes for a more multi-lingual internet that comes with it. However, there is no doubt that while digital translation into the major languages of the world are seeing massive investment, the European Union and its Member States will be forced to add their own investments on top of those of private actors if all of the official languages of the EU are going to have comparable degrees of support. Lesser results may be useful, of course. We would thus expect the availability of digital translation into the few most widely spoken languages in Europe to help greatly to improve the accessibility of EU-level e-participation mechanisms.

Besides the challenge of language, where the EU stands apart from most other global regions because of the lack of an officially endorse lingua franca, many of the challenges most often associated with e-participation at the EU-level turn out on closer inspection either not to be unique to the EU-level at all or to have been overcome.

2.4.2. Multi-level governance

One such often discussed challenge is the multi-level nature of European governance. It is well-known that governance complexity rises proportionally with the many levels of governance that the European system encompasses. With the upper echelons of this system having often only indirect connections with national representative democracies, it is easy to assume that e-participation at the EU-level will automatically inherit the democratic deficit / 'no demos' problems of the governance system as a whole. However, examples such as the UK Democratic Dashboard show that it is possible to construct a common access point to a multi-national and multi-level governance system, even if not all potential users have access to participation in all of the channels of participation. The digital infrastructure of the 5 Star Movement similarly shows that a common infrastructure for local, national and European level political participation can provide much needed advice, guidance and overall structuration for citizens' wishing to participate in decision-making. Of course, the fact that the construction of such common infrastructures is technically possible means neither that it is necessarily, politically feasible nor that developing a well-functioning system is easy. Our point here is only that the constitutional difficulties of European democracy do not by necessity translate into roadblocks for a common European e-participation platform.

2.4.3. Digital divide

Another such challenge is the digital divide. Given the development infrastructures for internet access over the last decades, there are good reasons to revisit some of the assumptions underlying the traditional discussion of the divide between advanced and less advanced regions of Europe. Granted, Europe-wide patterns of exclusion of the elderly, citizens with lower levels of education, and citizens with disabilities from digital platforms of e-government and e-democracy remain (as discussed e.g. by Van Dijk 2012 and Panopoulou 2014). But these patterns are not specific to the EU level: they affect opportunities for e-participation at all levels of government. More importantly, with regard to access to basic broadband they no longer map onto the underlying divides between richer and poorer regions of Europe (Negreiro 2015). While the digital divide as traditionally understood is thus a challenge to be addressed by any e-participation platform, this challenge is not exclusive to participation on decision-making at the EU-level. Rather, it is a reminder that all efforts at increasing citizens' participation in policy-making should beware of an online-only strategy; face-to-face participation processes supported by effective mobilization efforts must remain in the tool-box.

If an EU-specific digital divide is to be considered a relevant challenge for e-participation at the European level, it is the cultural divides between Member States with a great deal of trust between governments and their populations regarding the sharing and recording of personal data such as ideological standpoints and those which – with good historical reasons – do not have the same degree of trust. This cultural divide concerning degrees of digital openness presents a real challenge to the plausibility of common European approaches to e-government under any form, including e-democracy and e-participation (EC 2013).

Keeping these qualifications in mind, the following sections will present and discuss suitable e-participation approaches at the EU level in greater detail, while taking into account some of above mentioned institutional characteristics and weaknesses.

2.5. Methodology: on our use of stakeholder opinions in identifying options for action

The following discussion makes creative use of the findings of the previous sections of this report. Rather than an attempt at systematically presenting and evaluating all logically possible applications of the tools, which were analyzed in the previous section, we attempt to use the findings from the case study to identify the 'low-hanging fruits' of e-participation at EU-level.

To identify immediate options for strengthening the EU institution's rapport through e-participation with European citizens – the 'low-hanging fruits' – the research that went into the following comments has added two additional sources of information to the findings of the previous sections of this report (i.e. literature review and case studies). The first such additional source of information is experience. It is a well-established principle in pragmatist social science to rely on the first-hand experience of the actors involved in a given social system to identify the paradoxes and potentials for development of such systems (e.g. Flybjerg 2001). The other source of information is the outcome of creative brainstorming. Developing new tools and mechanisms for the functioning of institutions relies to great degree on the ability of people positioned at the intersection between different institutional spheres to creatively combine elements of the different organizational practices to which they are exposed (see e.g. Campbell 2005).

To allow our analysis to be influenced by these additional sources of information , the research that went into this section included engagement with a small number of stakeholders and to gather and generate ideas for immediate improvement of participatory practices at the EU level. We did this in two ways. Firstly, all interviewees involved in the local, national and EU level case studies were asked to elaborate on their ideas for how the tools, about which they were being interviewed, could be applied at the EU level. These inputs are reported in part in each individual case study.
On the other hand, we also gathered a small group of institutional and non-governmental stakeholders for a day of co-creation. On this day, the authors of this report and the stakeholder group discussed ideas for improving existing participatory tools at the EU level and immediate options for going beyond these tools, for example by adopting some of the tools described in the case selection earlier in this report.

Following these steps of stakeholder engagement, we have used the most clearly apparent consensus positions among the stakeholders as starting points for recommendations, which have been supplemented by the evidence gathered in the literature and case sections of this report. These recommendations are outlined below.

2.6. Opening up more sophisticated channels of dialogue

One consensus position among stakeholders, which is generally backed up by the scientific literature on the matter, is that the representative democratic mechanisms that feed directly into the EU level – whether routine (such as voting for EU-parliamentarians) or ad hoc (such as national referenda) – are highly ineffective in facilitating the representation of public opinion to decision-makers at that level. The shortcomings of routine democratic representation at the EU level – the democratic deficit – has extensively been discussed earlier in this report as well as in the earlier STOA report on e-participation (STOA 2011). These shortcomings provide the general background against which the discussion of increased participation through digital or other means has been sustained for several decades. More pertinent to the current situation is perhaps the question of referenda as means to provide – in good faith or not – a platform for the people to voice their opinion. It is our assessment and that of the stakeholders with whom we have engaged that the referendum is a tool much too crude for the purposes for which it is currently being used. Perhaps the most obvious example is the Brexit referendum. While this referendum provided a clear statement of dissatisfaction with the UK's

membership of the EU, a great number of observers have pointed out that the binary stay/leave vote says next to nothing about the nature of this dissatisfaction or the means most appropriate to alleviate it (e.g. Kershaw 2016; Fisk 2016). Similarly, there seems to be a good case for the argument that recent referenda in Denmark, Hungary and the Netherlands have been side-tracked by issues other than those in question – first and foremost the question of support or rejection of Europe as a whole - thus producing very unclear signals (Antonsen 2016; Mueller 2016; Werring 2016). When the burden of interpreting such binary signals are placed on the shoulders of incumbent governments, there is no clear way of determining whether the governments' position actually reflects the concerns of the citizens. In addition, since the ultimate results of the processes that referenda feed into are dependent on further negotiations within the EU, these results may neither be closer to citizens' wishes, nor of better quality than they would have been otherwise. A major concern among stakeholders and in the literature is that lacking a way of voicing their opinion, the 'silent majority' of European citizens does not see their values defended in European politics, and as a consequence ever greater parts of the European population grow sceptic about the European project as a whole. Lacking media coverage of European politics in national media plays a part here as well (see part 1 section 3.3.3). To be sure, the effect of this lack of visible representation of 'ordinary' citizens' points of view does not necessarily lead to disaffection with the idea of European integration; it may as well lead to a re-politicization of the parameters and directions of integration (see also part 1 section 3.3.3). While the increasing frequency of referenda may thus be seen as a sign of increasing politicization of European policy, we cannot with the same confidence say that they are also signs of increasing democratization. To put the point more bluntly: Referenda do not produce a trustworthy statement of public opinion. Their outcomes are rather incoherent statements about conflicting emotions and opinions about a great variety of issues bundled together in public discourse. One stakeholder who took part in this project thus conceded that on this background it is only natural for politicians to think to themselves that "*we cannot do anything with this*". Furthermore, it is not at all far-fetched to imagine that – with no other obvious means of giving voice to European citizens – the Brexit vote will not be the last of its kind. Even if such votes might not technically be about the EU and the policies and structures that belong to its remit, the inbuilt crudeness of referenda and the apparent pent-up desire of European citizens to be heard mean that a wave of stay/leave referenda could yield catastrophic results for the European Union (as argued by e.g. Lyons and Darroch 2016). Against this background, it would seem urgent and even paramount for the sustainability of the EU that its institutions should open up new channels of more nuanced dialogue with the citizens of Europe.

2.7. Ways of improving existing participatory mechanisms

The EU institutions already have different well-established mechanisms for digitally supported citizens' participation. We focused in our co-creative workshop on three of them: the European Citizens Initiative, the Your Voice in Europe consultation platform, and the parliamentary Petitions Platform. The consensus position among stakeholders and scientific observers with regard to these mechanisms seems to be two-fold. On the one hand, there is a general agreement that these platforms and the underlying legal mechanisms hold great potential as first steps in the direction of opening up European decision-making and governance to citizens' participation. On the other hand, the net result of the legal mandates, their interpretation, and their practical and technical implementation is that ordinary European citizens are still without simple and transparent channels to engage with the EU institutions.

To make this consensus position more concrete, the work underpinning this report first repeated an exercise performed by Lironi et. al. (2016), namely to facilitate a SWOT analysis for each tool. Using this technique in dialogue with a large number of individual stakeholders, Lironi et. al. have corroborated the existence of the above outlined consensus positions. In order to go beyond rather than repeat the findings of Lironi et. al., our analysis placed special emphasizes on ways of improvement. We thus deployed the SWOT analysis in a co-creative workshop setting where participants were able to feed off

each other's ideas to come up with recommendations for improvement of the existing mechanisms. Our analysis of the existing mechanisms and ways of improving them, however, does not stop with the SWOT analysis. We have also made use of the findings from the case studies. The cross-case analysis in chapter 10 identified five six conditions for successful citizens' participation. 'Successful' in this context means that the results have had an impact on the final decisions. The conditions for such outcomes, in our analysis, are as follows. Firstly, it is necessary to establish a formal link between the participatory process and the decision-making processes that it is meant to inform. Secondly, there should be clarity on the participatory process (including the nature of the formal link i.e. whether the input is to be used for inspiration only or will have a binding status) from the start. Thirdly, opportunities for participation only become effective once they are supported by an active mobilization and engagement strategy. Fourthly, to maintain credibility for the mechanism, citizens need to be provided clear feedback on how the outcomes of the process have been understood and put to use. Fifthly, the practical implementation and the tools used to support the participatory process need time to be developed and refined. Finally, it is helpful when there is a possibility to vote. The advantage of the combination of deliberation and voting is that it can show if the participative input is supported broadly or not. These conditions help both to understand why the potential of the three existing mechanisms have not been unlocked and how they may be improved.

2.7.1. Improving the European Citizens' Initiative

Being the first transnational e-participation tool for policy agenda setting, which has an institutional embedding as strong as the one provided by the ECI in the Lisbon Treaty's §4, the platform is unprecedented and still unparalleled in terms of the advancement of participatory democracy at transnational level (cf. part 1 section 3.1.5 and 3.4.5). In formal terms, the ECI gives citizens a powerful agenda setting tool by allowing them, given the conditions that a proposal must fall within the remit of the Commission and gather 1 million signatures, to interfere directly in the agenda setting process of the EU. Furthermore, as a signal the existence of the platform and the underlying agenda setting mechanism encourages active participation and citizenship. Ideally, the mechanism would both allow citizens to take collective actions and allow decision-makers within the EU institutions to gain greater insight into citizens' concerns. Furthermore, in a forward-looking perspective the ECI platform has arguably grabbed the attention of organized civil society and thus created an existing user base, which could help to propel the platform forward in case of a process of revisiting and expanding the reach of the mechanism.

Despite these positive notes, the remarkable steps towards an improvement of this instrument taken in the recent past and regulatory changes announced most recently, it would be imprudent to sugar coat the weaknesses of the ECI mechanism as it is implemented today. The consensus position here seems to be that not only could the digital platform itself and digital support tools be made more user friendly, more importantly the underlying legal constraints and the way they are interpreted in the current implementation block a culture of open involvement and engagement with citizens. Since its implementation, the ECI has produced only three successful initiatives, all of which were submitted in 2012. 18 initiatives have failed to gather the necessary support, 14 initiatives have been retracted by the submitters, and 20 initiatives have been rejected on formal grounds (website, accessed on 21 February 2017).

From a constitutional point of view, this should come as no surprise. As discussed in section 2.2 above, the Lisbon Treaty is explicitly based on principles of representative rather than participatory democracy, and it favors organized interests over citizens. This is clear in the conditions under which the ECI functions. On the one hand, the demand that the proposal submitted must fall within the European Commission's competencies to act, places a heavy burden of regulatory insight on those wishing to formulate and submit proposals. On the other hand, the demand that proposals must gather one million

signatures and its various technical and security requirements places a burden of organizational capacity and resources on proposers. In terms of the above mentioned conditions for successful participation, a central failing of the ECI is thus that despite the fact that it provides an opportunity to participate, it fails to support this opportunity with a strategy for mobilizing and engaging citizens. However, even the limited rights to 'voice' and 'consultation' established in TEU §11 could in a practical context be interpreted much wider than what is currently the case for the ECI. Even within the conditions setup by the Lisbon Treaty, it would be perfectly legal and certainly also practically possible to support citizens attempting to formulate citizens' initiatives to ensure that proposals hit the mark in terms of the Commission's competencies to act. The Finnish Open Ministry platform, for example, makes active use of volunteer experts who support the formulation of citizens' initiatives to ensure that they fall within the remits of the body to which they are addressed (see part 2 section 5.2). In lieu of such support having been provided, NGOs have had to coalesce around the ECI Campaign where they have attempted to provide citizens with some measure of support (see citizens-iniative.eu). There is a need for a debate about where the responsibility lies for supporting citizens' participation via the ECI. We have found no evidence that there has been such a debate among the European institutions. As a result, it cannot be a surprise that citizens suspect that the ECI in its current form was designed as an intentional half-measure. In its current form, the ECI has arguably set the stage for an unfortunate outcome where almost all proposals fail to qualify either for falling outside the scope of the Commission's remit or for lack of mobilization and support.

The ECI in its current form also fails to clarify how proposals are used once they pass the qualification criteria. What exactly is the formal process of treating proposals once they pass, and how are they used in decision-making processes? Based on our cross-case analysis, the presence of such clarity is precisely one of the most important conditions for a positive impact of participatory mechanisms and tools on decision-making and agenda-setting processes.

Regarding the future outlooks of the ECI, stakeholders and commentators have discussed several issues, none of which are trivial. Importantly, as outlined in part 2 section 6.4, the Commission has only recently announced plans for a reform of the regulation underpinning the ECI implementation and their scope is yet unclear. Without a doubt, the Commission's earlier strategy (as expressed by the Deputy Secretary General, Jean-Eric Paquet) of attempting to achieve improvements within the existing framework has also been effective to some extent and should be pursued further as a complementary path. In addition to the opportunities already identified by Lironi (2016) (see section 7.4) our analysis points to a few opportunities for improving the mechanism through decisive action by institutional leaders.

Among the most obvious opportunities for improvement are: greater support for proposal formulation; and a better follow-up regarding the processing of proposals after submission. Furthermore, taking a page out of the book of the 5 Star Movement (see section 7.2), to support mobilization efforts by ECI initiators, the ECI digital platform could be broadened (by integrating online community functions as well as functions to support offline meetings) to allow organized civil society to use it as a mobilization and campaigning platform.

More broadly, it is important not to fall into the trap of believing that improving the ECI is a matter of finding the right 'technical fix'. The challenge of opening up the ECI platform to active engagement with European citizens is more than a matter of technical implementation and the adoption of new tools; it is just as much a matter of organizational culture and leadership commitment. If a relaunch of the ECI were to be considered – whether in legal or practical terms, or both - it would be essential that the relaunch process should not be one-sided. Instead, the relaunch process itself should seek to embody a new openness and a willingness to engage in mutual learning along the way. What would be most important would therefore be to open up the implementation process to user involvement and to work actively with local and national governments as well as NGOs to draw on their experiences.

Table 1. SWOT analysis of the European Citizens' Initiative

European Citizens' Initiative (ECI)	
Strengths	**Weaknesses**
• The first transnational participatory agenda setting tool in the world that has institutional embedding (art 4, Lisbon Treaty). • Has attention and existing user base to build on. • Allows decision-makers to get a grasp of issues citizens talk about and how they talk about it. • Encourages active participation and citizenship.	• Usability (of the mechanism in a broader sense, not only the web portal). • Not really designed for citizens – demands reg. competence, organizational capacity, and financial resources are too high. • No formal schema for impact on decision-making. Also unclear informal impacts on decision-making – creates disillusionment. • Unclear whether the initiatives generate new knowledge. • In a nutshell – not cost-effective .
Opportunities / Improvement options	**Threats**
• Current EU crisis is a window of opportunity. • Use the opportunity to make the ECI a bridge between citizens and EU institutions. • Strengthen representative democracy by enhancing participation; stronger elected officials; stronger citizens. • Work with local/national platforms and/or NGOs to improve the ECI (and other mechanisms). • Seize the opportunity to improve the legal structure to address weaknesses (impact; transparency). • (Use as tool for) mobilization and campaigning. • (Use as tool to achieve) transparency in lobbying.	• Current crisis response is too chaotic to make use of opportunities. • The crisis of Europe, including the weaknesses of the ECI, lead to frustrated citizens. • Pseudo-legitimacy. • A non-working ECI (and other mechanisms) easily backfires, leading to increased Euroscepticism and nationalism. • A non-working ECI leaves the door open for negative advice in the form of referenda; a type of input which is very difficult to handle.

2.7.2. Improving Your Voice in Europe and the EP Petitions Portal

In the following we treat the common consultation platform of the European Commission alongside the EP Petitions Portal. Although both these tools have a formal link to the decision-making process, there are still some important weaknesses to alleviate.

Albrecht (2012) reviews the e-consultation practice at EU level with a focus on the Your Voice in Europe platform, building on analyses of other scholars (cf. Quittkat/Finke 2008; Quittkat 2011; Tomkova 2009). His main points are: Online consultations have become a well-established instrument regularly used by practically all DGs. This has certainly increased existing participation opportunities and brought more frequent public participation, especially of diverse interest groups, resulting in broadening the input into EU policy-making and extending its knowledge base. However, serious flaws include opaque and sometimes inadequate processing of contributions; a shift of focus on closed question formats; little evidence of mutual learning; lack of feedback to participants on the use of contributions entailing frustration; one-way format of communication and no opportunities to debate contributions; only limited use of technologies (general purpose instead of specific e-participation and web 2.0 tools); and lacking integration of new arenas for debate, e.g. the political blogosphere (Albrecht 2012: 15 ff.).

Albrecht advocates a model of deliberative e-consultations which not only consists of collecting comments on a policy proposal but also allows for discussions on these among the participants and with representatives of the EU institutions concerned. This is actually supported by our comparative case-analysis where these two conditions – interaction with other participants and interaction with decision-makers –appear to be very important in order to have an impact on the agenda-setting process. However, its implementation is confronted with a number of unresolved problems such as how to adapt a face-to-face format to a large-scale setting, high costs, a minority of participants being willing to engage deeper, the need to facilitate the process and to inform and support the participants, and the reluctance of officials and policy-makers to participate. With regard to improving technological support, natural language processing and argument visualization technologies are regarded as interesting candidates, although evaluation results to date are mixed. A third approach suggested is to integrate e-consultations in new ways with 'third places', i.e. social media platforms such as the blogosphere and popular social networking sites, in order to counter the dominating top-down flavor of existing EU channels. The assumption is that a good deal of exchange on these sites includes political talk and that the separation between political content and life world is being blurred more and more. Several EU projects have already experimented with linking e-consultations to social media (cf. Albrecht 2012: 19). Taken together the three strategies outlined show some promise to develop e-consultations further to a model which is more open and effective than the existing practice and which will also enhance the quality and legitimacy of policy decisions with the help of a tool such as Your Voice in Europe.

With regard to the Petitions Platform, Tiburcio (2015) examined "The Right to Petition" in the European Parliament for the Committee on Petitions and made recommendations for the EU petition system. Tiburcio notes that recent studies on petitions tend to neglect the petitioning system of the European Parliament, referring to it as being a "*well-embedded process to deal with petitions*" (Tiburcio 2015: 12). In his study Tiburcio comes to the following conclusion:

> "[…] *the petition system of the European Parliament compares well overall with the petition systems of Parliaments of Member States. In terms of conventional features, it scores well in all dimensions: ensures direct access (and not intermediate) by citizens; it's highly inclusive and open to both national citizens of Member States as nationals from third countries, if they reside within the EU territory; it offers possibilities for greater involvement of citizens, including through frequent of hearings, followed by public debate in committee.*" (Tiburcio 2015: 40).

Nevertheless, the Petition Portal is at the same time a prime example of how the institutional peculiarities of the European Union can make it difficult to transfer experiences from the national to the European level. The limited powers of parliamentarians to set the political agenda combined with the subsidiarity principle thus bear directly on the usefulness of petitioning them. One stakeholder observed the difference that this creates in comparison with, for instance, the Dutch petitions platform petities.nl: "*The petition has to be about European laws and regulation and in particular the implementation of it by the Member States. It has to be about issues where the European Union has exclusive competence*" (interview 5, our translation). This is one of the reasons why so many filed petitions are rejected, because the subject they are addressing does not fit this condition. In 2015, 1,431 petitions were received and about one third (428) turned out to be inadmissible.

Working within these limitations, it would nevertheless seem reasonable to make some use of the inputs gathered through the platform. The Petitions Committee could, for instance, still make an inventory of what people actually ask for in these 428 petitions, which could be distributed among MEPs and perhaps even national parliaments. Taking this idea one step further, the Petitions Portal could gradually be expanded to serve as a multi-level petition system with connections between the existing local, national and European institutions. This would give a much enhanced basis for understanding

the stirrings among European citizens in comparison with top-down tools such as consultations and polls.

Comparing the two platforms is illustrative in a number of ways. Your Voice In Europe exemplifies a one-stop-shop for EC consultations, which is a great advance in comparison over previous decentralized approaches. However, the consultation formats have not yet been harmonized across the different DGs, which makes the process less transparent for users than it could be. The upfront clarity about the use of the inputs gathered through the platform could be improved. And there is a lack of feedback to the citizens about the outcomes. The EP Petitions portal, by contrast, has relatively clear feedback mechanisms, although this often comes late. The Petitions Portal lacks even more upfront transparency about what citizens may expect to happen to their input than the consultation platform.

Information management is a great concern with regard to both platforms. Petitions produce not only quantitative data, but also potentially vast amounts of qualitative statements. Aggregating such input is both time consuming and politically risky; especially because there is no mechanism for the approval or disapproval of aggregation choices made by the Commission services, by the people providing the input. This leaves a great deal of power to shape the outcomes of consultations in the hand of the secretariat functions of the DGs. Similarly, the lack of transparent curation of petitions submitted to the EP Petitions Portal, along with the lack of clarity of the use of the inputs submitted, gives great leeway for cherry-picking and selective interpretation to the EP Petitions Committee.

In terms of user experience, both platforms suffer from typical ailments of online participatory tools (see literature review in part 1): a lack of interactivity; a lack of deliberation; and a lack of mobilization efforts. Together, these weaknesses produce results that may also be recognized across a broad array of e-participation cases: over-population by organized interests and elites; and a lack of publicity.

Despite these shortcomings, we believe that relatively simple measures could improve the socio-technical functionality of the platforms considerably.

Your Voice in Europe could:

- **Provide feedback via e-mail**
  Once consultations are over, the results that come from it being processed and fed into internal decision-making processes could easily be communicated to participants; thereby increasing their a sense of transparency and involvement. For example, the synthesis report – which is a mandatory follow-up to each consultation – could be e-mailed to each participant in addition to its publication on the website.

- **Make use of data analytics to aggregate qualitative inputs**
  Several data analytics companies as well as DG Connect have developed tools that help to make systematic and transparent decisions about the aggregation of qualitative data. Deploying such tools in the internal processing of results would help to improve the dependability of the process.

- **Improve scalability through technological support**
  The current difficulty of treating qualitative data represents a bottle-neck, which in a resource perspective could actually serve as an incentive to maintain low participation numbers; how would the Commission services handle a 10, 100, or thousand-fold increase of data amounts? Big data technologies, such as machine learning whereby algorithms improve in step with the data amounts processed, might hold some answers to scalability.

- **Open up back-end data**
  If consultation data and the tools used to process it were made available to the public, the process of making use of the input would become transparent and would establish a hotspot for public dialogue on EU policy decisions.

The **EP Petitions Portal** could:

- **Benefit from more back-office resources**
  Whether through additional staff, additional technological support, or a mix of both, users would gain a much livelier experience of interacting with MEPs if the necessary back-office resources were available to ensure swift and qualified response and interaction with user.

- **Use simple tools to educate and mobilize**
  Simple additional tools such as updates via text or e-mail, education on issues via video messages, ad hoc inputs via mini-polling, visualization of data and policy mechanisms would help greatly in keeping the attention of citizens and qualifying their input.

- **Provide communication and mobilization support to petitioners**
  Since the EP Petition Portal is more successful than the two other established tools in attracting the attention of non-organized citizens, it would be highly useful to provide these citizens with basic tools to mobilize support for their petitions (handbooks, free publicity mechanisms, etc.). The Dutch petition platform, for example, contains information that addresses how to: get as much traffic to the petition; start a campaign website or blog with more information; write and spread a press release; get in touch with local or national TV or radio broadcasting centers; and place a widget (so people can sign the petition from another social network site or campaign site. The portal might also be provided with crowdsourcing functionality for campaigning in order to collect finances to hire a public affairs professional or to collect volunteers amongst the citizens for support .

- **Add various functions for online deliberation**
  A lot of the pressure to respond directly to questions and petitions could be taken off back-office staffers and MEPs if options for deliberation between participants were added to the portal, e.g. debate options, options for collaboration on petitions, voting both for and against, etc. This would make it possible for citizens and interest experts to share knowledge in the ongoing process of developing and sharing ideas for petitions. Wiki Melbourne is one case in which such functions were embraced with enthusiasm by citizens and officials alike.

Such deliberative functions can be more or less structured.. The 5SM makes use of debate platforms that are open to everyone while voting on proposals is for registered users only. The Petities.nl platform, as another example, has a structure where users cannot comment directly on proposals, but must make counter-proposals. The 'debate' between opposing proposals is then settled by voting. How to balance openness and structure is a question to be settled through experiment and experience. The major criterion is not to reinvent the wheel, but to keep working on the platform to improve its usefulness and popularity while drawing on experience from others along the way. This is underlined in the comparative case analysis by the fact that the condition of sustainability – improving the tool over time - contributes considerably to impact on final decision-making.

Table 1. SWOT analysis of Your Voice in Europe and EP Petitions Portal

Your Voice in Europe		EP Petitions Portal
Formal anchorage (in EC better regulation approach)	S	Embedded in official structure (in Committee of Petitions, hearings etc.)
One-stop shop for all DGs		Relatively clear feedback
Consultation formats and procedures not harmonized across DGs	W	Lack of publicity; no focused communication strategy
Rules of the game not clear, e.g. no clarity about use of inputs, no mechanism for feedback		No strategy for engagement (i.e. mobilization) of supporters.
Difficult information management		No clarity on use of inputs
No deliberation		No curation of petitions
No interaction		Great delay in feedback
Over-populated by organizations		
Easy to improve using simple tools, e.g. feedback via e-mail	O	Assignment of more back-office resources
Use of data analytics to manage input (summarization) (e.g. using the DORIS system developed by DG CONNECT)		Use simple tools to educate and mobilize (video, SMS alerts, mini-polling, visualization, etc.)
Opening back-end data		Provide help to petitioners regarding their communication strategy (handbook, free publicity)
Scalability through technological support (e.g. machine learning, which improves summarization algo's as more data goes through the system)		Add more deliberation (opportunities to debate and improve petitions, possibility of voting for and against petitions)
Drawing on the crowd for learning and ongoing improvement (beta testing, design thinking, UX development).		Add functionality for gathering funds for hiring professional assistance
All in all: great overlap between 'smartification' and e-participation		Add functionality for volunteering where citizens can help each other develop and communicate petitions
Lack of agility in development of tools	T	(Same)
Structural separation between problem owners and tool developers		(Same)

2.8. The low-hanging fruits: Obvious steps in improving options for EU-level e-participation

The discussion about increasing openness and participation at the EU level often comes to center around regulatory reform. However, no matter which regulations are put in place, openness in administration is just as much a matter culture as it is one of formal structures (Torfing et. al. 2012). To address the space of possibilities available to the European institutions within already existing formal structures, we have put together – with great help from stakeholders engaged in our efforts – the following four suggestions for 'low-hanging fruits' of participation, which institutional leaders should be able to harvest with reliance only on their existing remits.

2.8.1. Experiment with participatory budgeting in relation to the Regional and Social Funds

The gist of this idea is that given the positive experiences by European cities, regions and Member States with participatory budgeting methods, there must be areas of EU spending where such methods could help to enhance citizens' participation. Current best practices, such as it is described in e.g. the Belo Horizonte and Paris case studies in this report show that an e-participatory element is essential for the scaling up of such methods. At the same time, however, face-to-face interaction and a certain rootedness in local situations is characteristic of all successful cases of participatory budgeting. Finally, the general conditions for the success of (e-)participation also apply here. For example, the Belo Horizonte case shows that a failure to achieve a clear understanding among the participants concerning the mandate given to the process is lethal. In this case, the participation rate thus decreased enormously over time. In 2006: 172,938 participants online; in 2013: 8,900. This was due to the failure to implement the winning project in 2008 after which people lost their trust in the procedure; also despite other projects having been implemented. The question is therefore: Given the complexity of the European decision-making process, can participatory budgeting even be conceived at the level of the common European budget? Or should methods of participatory budgeting be seen as a means to making a connection between citizens and the EU at the local and regional level?

On the one hand, there is no doubt that setting aside a certain percentage of the total EU budget to be distributed by citizens would be a powerful symbolic gesture. However, there are many ways in which such a mechanism could go awry from the beginning. Allocating funds at the discretion of citizens would demand the implementation of some methodology to avoid simply reproducing current patterns of influence of different Member States. The participants at the workshop pointed to the H2020 programme as an example of an allocation mechanism, which is constructed to avoid simply reproducing national interests, focusing instead on the excellence and societal relevance of projects. As already mentioned above, the CIMULACT project provides an example where citizens have in fact been involved, albeit indirectly, in the allocation of funds through the H2020 mechanism. Their role there is to produce visions, priorities, and calls for projects. A similar role might be conceivable if a certain budget was allocated to participatory budgeting at EU level. One participant suggested such a mechanism might be thought of as an 'Erasmus programme for entrepreneurs', i.e. a platform where young entrepreneurs could submit ideas and compete for funding by participating citizens. Other participants underscored that such an allocation mechanism ought to be flexible and oriented towards urgently pressing problems, such as – in these years – migration, climate change, and improved education. Experiences from city-level cases show that participatory budgeting methods that start with small, but realistic setups, have a better chance of achieving longevity than those that make big promises, but do not follow through. For this reason, one participant suggested that also in this area, it would be useful to start small and to allow for an ongoing process of community-building to take place around the mechanism, which might then grow in size over time.

On the other hand, the EU already has well-established mechanisms for reallocating EU budgets to local initiatives and concerns through the Structural Funds. The Regional Development Fund as well as the Social Fund both already assign significant decision-making authority about the spending of these funds to the local or regional level. Building on lessons learned in cases ranging from Belo Horizonte to Paris (see part 2 section 7.4 and 7.5), it is not at all hard to imagine a unified framework for participatory budgeting being implemented as part of these budgeting processes. Also here, the availability of good projects and the willingness to back them would be crucial. But given the local development ambition of these funding programs and taking into account the much smaller scale of application, it would be more feasible at this level to implement more open co-creation processes reaching organically from idea formulation to project application, funding decisions, and implementation. In the wider perspective of regional development policy, it is conceivable that the input and throughput stages of participatory

budgeting could bring together decision-makers, citizens as well as local organizations and business in a process that may help to create a common focus point for the community.

2.8.2. Expand online engagement with MEPs beyond petitions

The gist of this idea is to expand the palette of online engagement tools available to citizens seeking to interact with MEPs (and vice versa) beyond those that are currently available via the Petitions Portal and the EP website. Such tools could include:

- Availability of voting records for each MEP;
- public functionality for posing questions to MEPs and their staff;
- consultation functionality for MEPs to gather input from citizens;
- blogging functionality where MEPs can share work-in-progress and receive input from interested citizens.

Most of these tools already exist: votewatch.eu is an example of how voting patterns could be recorded and made public; WriteToThem and Abgeordenetenwatch both include an example of how posing questions to MEPs could be implemented; Your Voice In Europe already has the functionality needed to enable MEPs to post online consultations; and some (often younger) MEPs have already adopted personal online blogging platforms to share work-in-progress and engage with citizens. The technical challenge is thus very minor in providing such tools to MEPs.

To be sure, for such additional tools to have an effect on the relationship between European citizens and their MEPs, such tools would have to be both technically and strategically integrated with social media. Our case studies of TheyWorkForYou in the UK and Abgeordenetenwatch in Germany show that such functionalities in and of themselves tend to reach mainly organized interests and journalists, while social media provide a bridge through which ordinary citizens may become involved as well (see part 1 section 3.1). This reflects a basic tendency in which social media have grown to act as central hubs for communication and social networking in contemporary society; hubs that enable decentralized production and co-creation of ideas and even societal movements (Skoric et. al. 2016; see also part 1 section 3.2). For most contemporary organizations, this tendency has produced a shift in online presence strategies from an emphasis on drawing traffic to the organization's website to a focus on producing content that gains traction in social media platforms. Making this same shift in the EP would imply providing MEPs and their staff with the tools needed to send their 'fish hooks' into the whirlpool of social media debates to draw citizens onto their own platform for debate and co-creation (Dahlgren 2013).

Initially, our case interviews indicate, some parliamentarians will see this as an 'extra' workload. The argument could be made, however, that online engagement is not going away, but is rather a new element of the changing role of the parliamentarian: from that of a representative of rational groups to that of a figurehead for an 'affective public' (Paracharissi 2015). In any case, it is clear that increased online engagement will make new demands of MEPs and that – as argued earlier – supporting services must get beyond a compliance mindset to a mindset of exploration and co-creation. At the same time, for online engagement with MEPs to work, it is also necessary that parliamentarians and their parties accept a certain loss of control as the price to pay for a more vibrant interaction with (the most active parts of) their constituencies (e.g. Ross and Bürger 2014).

2.8.3. Create a platform for monitoring member state actions during Council decisions

The gist of this idea is that the contributions and votes of each individual member state in relation to decisions made in the Council of the European Union should be made publically available in an easily accessible form.

Our discussion (in part 1 section 3.3) of the democratic deficit of the EU touched briefly on the Council's 'black box' function in European decision-making. This function is one of the many factors that makes the EU seem to many citizens to be an outside force acting in on the conditions for national policy. While there is some truth to this perception, increased insight into the actions taken by national governments in context of the Council would help to dismantle those elements of this perception that rests on illusion. It would also help to hold national policy-makers accountable for the positions taken in the Council.

To be sure, much of the information needed to establish such accountability is already available, either through the common EU web-platform, civil society services such as votewatch.eu, and the web portals of national governments and parliaments. It is thus possible for the highly intrepid citizen to put many pieces of the puzzle together and to get an outline of the positions taken by national elected politicians in the European arena. However, not only does this place an unfair and for most people prohibitive burden of information gathering and analysis; key information is simply not available through ordinary channels.

Providing clear insights into the contributions and voting patterns of Member States is less of a technical problem and more of a question of procedure and culture. Where the line between the two is drawn, i.e. how much additional information could in fact be made available without formal changes to the rules of the game is outside the scope of this report. Nevertheless, providing such information most certainly qualifies as an 'easy' step towards overcoming the division between an opaque European policy arena and the national public spheres. It would also, quite naturally, strengthen the ability of European citizens to participate on an informed basis in other, more active forms of e-participation.

2.8.4. Enable crowdsourcing of policy ideas for the Commission

The gist of this idea is that there is a gap in the policy formulation processes of the European Commission, which could be filled by a mechanism for crowdsourcing policy ideas. 'Crowdsourcing' is a highly ambiguous term. In this context we mean a process of gathering ideas through informal and frank exchanges of experiences and views, which is not bound to a specific phase in the decision-making process at the European level. Even assuming that both the ECI and You Voice in Europe were revamped and relaunched, there would still be a gap between the functions of these two mechanisms, where early stage policy development could benefit from open and frank sharing of ideas between Commissioners, their staff and citizens. This early stage of pathfinding is especially vulnerable to lobbying activities by organized interests (Van der Graaf et. al. 2016). While an online debate platform would not be a safeguard against such dominance, it would at least provide ordinary citizens with a space for engaging with the EU institutions in an informal manner that is otherwise only possible for lobbyists and other organized actors. The webportal Debatingeurope.eu provides an existing example of such a crowdsourcing approach to the interaction between European citizens and decision-makers could be structured in an informal manner.

The creation of an informal crowdsourcing platform would also help to the Commission to seize an otherwise missed opportunity to create a space for policy debate with a more transparent and ordered structure than the one that social media currently provides for European citizens (see part 1 section 3.2). A crowdsourcing mechanism could also help to gather ideas for how the Commission should interpret

and weigh different expert and stakeholder inputs. For example, tools as Futurium produce a wealth of expert ideas, but no clear synthesis. Here, a crowdsourcing mechanism could provide a space for follow-up discussions in the wake of foresight exercises where less expert participants could become involved and help to develop ideas for policy strategy. By giving decision-makers and their staff a forum for gaining immediate feedback on tentative ideas and considerations, a crowdsourcing tool could also help to create more transparency in the policy formulation process; simply by making it possible to understand the thinking that went into more formal, downstream documents.

There are obvious risks to a more open platform. The Predlagam platform is an example to learn from. On this platform, participants can add a proposal on current regulation or propose new regulation on that site which is an initiative of the Slovenian government. There is room for voting and deliberation between participants and with policy makers, and quite some feedback from the government on the proposals since they are obliged to react. Impact is low though, also because many of the proposals are difficult to achieve (see examples in the case study). Interesting criticism of one of the interviewee was: that the format of the tool is too open. His recommendation was that it should be more structured with more information given on what kind of input the government wants from citizens. This of course goes hand-in-hand with limiting the scope of participation and bureaucratizing the manner in which a proposal must be made. The interviewed researcher was of the opinion, that the open structure of the Predlagam.vladi tool would not be an issue if there was enough staff which could process the ideas. His argument was as follows: "*The policy process is very complex. And citizens should be aware how complex it is. I don't think that they should be fooled.*" Taking the lessons learned in Slovenia into account, our proposal is not to develop a stand-alone crowdsourcing platform, which would risk becoming a 'black box'.

Rather, a crowdsourcing platform would perhaps be the ideal starting point for a one-stop shop for online participation in European policy processes. While an online crowdsourcing platform could provide valuable input in and of itself, its main usefulness from a citizens' perspective would be as a springboard for deeper involved, e.g. through Citizens Initiatives, EC consultations, or EP petitions. . From the perspective of the institutions, the input gathered from crowdsourcing could serve as inspiration alongside more formal expert groups and stakeholder consultations. They could also help to hone the framing of consultations opened on Your Voice in Europe beforehand.

There are good reasons to explore this idea. Lironi (2016), for instance, argue that crowdsourcing platforms may enhance participation by involving civil society beyond typical stakeholder groups and reaching young people and that it may contribute to a learning process where both citizens and decision-makers come to broaden their understandings of a given topic and the range of opinions that exist on that topic. This argument is at least partially supported by our case studies of the Finnish Open Ministry and Wiki Melbourne which both reached young people to a greater degree than other participatory exercises typically do (see part 2 sections 5.2 and 6.2). However, both of these case studies also showed clear tendencies towards over-representation of white, male, highly educated citizens. The main purpose of a less formal crowdsourcing platform should therefore not be to create a representative picture of what 'people' think. Rather, crowdsourcing is an opportunity to broaden debates by going beyond the implicit bounds that may arise in 'the bubble' of epistemic communities (Haas 1992).

To reap the benefits of crowdsourcing, an explorative mindset combined with ongoing commitment is a prerequisite. On the one hand it would be of the highest importance that the design and implementation of such a platform go beyond mere compliance with some underlying legal mechanism. On the other hand, it is necessary that platform development and learning takes place under relative resource stability. The case of the Finnish Open Ministry platform shows this quite clearly. The Open Ministry platform builds on an underlying legal mandate for citizens' initiatives. The platform provides online functions to submit these initiatives. However, in its first years the platform went quite far beyond the minimum requirements specifically necessary for those functions. The Open Ministry

platform thus aimed to provide a deliberative environment in which many spillover effects could be gained from the process of formulating, debating, and gathering support for citizens' initiatives. The platform provided facilities for commenting on proposals, debating their possible consequences, suggesting improvements, and voting for or against proposals. The platform also provided support from volunteering legal experts for the drafting of proposal compliant with formal criteria. Over time, however, the budget available for these activities was reduced and as a consequence, the platform gradually reverted to a bare-minimum approach. The online activities of Open Ministry around the legislative proposals are now more directed on supporting initiatives with a signatures and less on deliberating proposals. Also citizens cannot take advantage of the legal support Open Ministry provided earlier. In the interview the researcher argued: "*There is a need for some sort of legal advice to ensure that the proposals actually achieve what they are supposed to. And that's a problem because of course most citizens don't have the knowledge that they would need to ensure this.*" About the former legal support within the Open Ministry platform, he says: "*I don't think they succeeded in offering this legal advice; not enough of it anyway.*" (Interview 8).

This case shows that it is possible for online exchange platforms linked to formal procedures to grow beyond a compliance mindset and embrace a more exploratory approach, but also that the long-term success of such an approach is highly dependent on sustained support.

Other cases such as the Five Star Movement (part 2 section 7.2) and the Icelandic experience of crowdsourcing a new constitution (part 2 section 6.1) both show in their own way that once an online platform grows beyond a compliance mindset, it may gain vibrancy and a decisive role in the democratic community. The Five Star movement, centering in part on online crowdsourcing of policy ideas and strategies has thus successfully mobilized a base of support that not only rivals existing political parties, but also has placed the movement as the second largest Italian party. The Icelandic case similarly shows that a crowdsourcing platform can come to play a central role in public policy discourse. To be sure, the same case also shows that a successful ee-participation tool in itself is not enough to ensure policy impact. Care must thus be taken to balance formal and informal structures and to be clear about the ability of citizens to influence (or not) the process of policy formulation. The recipe for success here seems to be honesty and straightforwardness.

While these cases thus provide grounds for cautious optimism and concern regarding the plausibility of establishing a crowdsourcing platform to supplement the ECI and Your Voice in Europe, it is necessary to take into account the limitations of online-only platforms with regard to the facilitation of deliberation. Earlier in this report we reviewed recent literature on policy crowdsourcing and found some critical warnings that are of the highest relevance in this context (see part 1 section 3.4.2.2). On the one hand, face-to-face deliberative processes for the delivery of citizens' input to policy are often marked by high citizen interest, are often quite cost-effective, and – supported by effective mobilization strategies - may even provide superior performance regarding the inclusion of marginalized and the overcoming of prejudice (Collingwood and Reedy 2012). To be sure, deliberation is no silver bullet and only provides such benefits in settings that live up to other quality criteria at the same time. One well-established 'fact' among observers and stakeholders is that clear outcomes only come from deliberation when it is combined with some form of aggregation. The possibility to vote (quantitative aggregation) was thus present in nine of the twelve cases in which an actual impact on decisions made was detected. On the other hand, many *online* systems that claim to reproduce the deliberative situation quite simply do not. Many such systems support the construction of group identity and community very well, but fail to facilitate a respectful and consensus-oriented political dialogue (Kersting 2013). For this reason, many expert observations point to the necessity of mixing online and face-to-face participation in processes when the purpose of a participatory process includes mutual exploration and co-creation; even if at the same time no one expects the potential gains from such processes to come easy (e.g. Kersting 2013, Sørensen 2013, Leighninger and Nabatchi 2015). From our comparative case analysis, it

also shows that the possibility to participate online and offline is an important condition in order to create impact on the agenda-setting process.

We expect that this latter recommendation will fall on fertile ground in the Commission, where a recognition of the necessity of blending online and offline elements seems to pervade those DGs that are currently experimenting with online engagement. The Futurium platform is one example of this. This platform is developed by DG Connect to enable co-creative processes involving policy-makers in explorative and creative deliberation of possible futures in Europe (see part 2 section 4.7). This platform blends a wide range of online options for debates with offline meetings and events to enable structured deliberation and knowledge exchange. The CIMULACT project funded by DG Research and Innovation is another example. This platform is developed by a consortium of organizations to enable citizens and experts to co-create visions of a future Europe and to formulate priorities and calls for research and innovation to support these visions. This project blends online consultations with offline co-creation processes to enable the broadening of participation in the formulation of research and innovation policy.

Together, these two examples show that the idea of using crowdsourcing as a feed-in to policy already has support among Commission decision-makers. Given the precedence of creating a one-stop-shop for online consultations across the DGs (i.e. Your Voice in Europe), it seems to be a natural next step to seek to establish a parallel or directly connected one-stop-shop for policy-crowdsourcing.

2.9. Cross-cutting issues: Towards a European e-participation infrastructure

In the above sections, we have focused on individual mechanisms and platforms, their shortcomings and opportunities for improvement. A key cross-cutting issue is that while tools such as the ECI, Your Voice in Europe, and the EP Petitions Portal have the potential to serve as vibrant bridges between different spheres of public dialogue, they fail to do so due to a number of shared failings. Firstly, none of the existing mechanisms are supported by a clear and effective strategy for mobilizing citizens to participate (see part 1 section 3.5). Observers and stakeholders generally agree that in lieu of such support, these mechanisms easily come to serve as yet another platform for elite debate among "*the usual suspects*", i.e. organized private interests and social movements (see also part 1 section 3.4.5). Secondly, all three existing mechanisms fail to provide feedback on the impact of their contributions to participants. Altogether, not enough effort has been put into ensuring that participants – citizens as well as decision-makers - experience their engagement as rewarding.

What is perhaps most striking from a cross-cutting perspective, however, may be the weakness of follow-up and learning efforts that characterizes the implementation of existing mechanisms and the development of new ones. As already stated, it may be prudent to pursue a strategy of ongoing improvement within existing formal mandates; which seems to be, for example, what the Commission has been doing with the ECI. However, if we accept that a focus on implementation may be more productive in the short term than a constant return to the question of formal frameworks, that places a responsibility on the services to pursue an implementation strategy, where the improvement efforts surrounding the EU's institutional e-participation mechanisms leads the field. Such a strategy currently seems to be absent. Instead, the current implementations of e-participatory mechanisms seem in many respects to aim for the delivery of a bare minimum standard. As a consequence, decision-makers and citizens are forced to look outside institutionalized e-participation channels to build the bridges for dialogue that Europe needs. Parliamentarians are thus taking to commercial blogging and networking platforms while NGOs are attempting to provide mobilization support around the ECI. The net total of these failings is very little actual forward momentum on the advancement of a participatory approach to European decision-making.

The core question for a strategy of improving participation while staying within existing formal frameworks seems to be to us: What is the common unifying vision? As long as each of the existing mechanisms and experiments such as DG Connect's Futurium projects or DG Research's various pilot projects (e.g. CIVISTI, VOICES, CIMULACT and many more) remain stand-alone mechanisms with discrete functions and implementation programs, the EU will remain an opaque jungle to the average citizen. If, on the other hand, a unifying vision of moving gradually towards an organic European participation infrastructure was agreed upon by all involved actors, the currently separate efforts the different institutions and services to open up European decision-making could begin to build on each other rather than carving out separate corners of a bureaucratic universe. Such unity, of course, is easier to dream up than to achieve. For that reason, we have gathered a number of more or less practical pieces of advice, which we hope may serve as support and inspiration to ongoing work to enhance citizens' participation in European decision-making.

2.9.1. Unify platform design around the user

- **A one-stop shop for participation would provide synergy between the EU institutions**
  Parallel efforts in different parts the EU institutional system to enhance opportunities for e-participation would all benefit from integration into a 'one-stop shop' platform. Contemporary platform design has long since abandoned the traditional approach of mirroring underlying organizational divisions, because it puts an undue burden on the user to decode the internal logics of the organization. Why should it be up to each individual European citizen to understand the interfaces and overlaps between the ECI, the Commission's consultations, and the parliamentary petitions platform? Reversely, why should each one-shot participation experiment have to restart the process of mobilizing citizens for participation? Why not gather these and other participatory opportunities together in a common platform? The UK 'Democracy Dashboard' is an example of such an approach. A one-stop shop approach could significantly reduce the risk of citizens becoming dissuaded from participation because of a mismatch between their initial impulse to do so and the specific mechanism they turn to.

- **Multi-level integration would help citizens to navigate European democracy more confidently**
  Participating in the European policy cycle is not only about participation in the policy process within the EU institutions. Europe starts at the door-step and thus includes local, regional, national and transnational processes. In the long term, efforts to arrive at a unified participation infrastructure ought to include the ambition to integrate the multiple levels of European democracy in which each citizen is involved. Without it, the many separate channels of participation available to citizens all run the risk of failing to channel citizens' wishes and concerns to the right governance levels and arenas. Also here, the UK 'Democracy Dashboard' could be a starting point for such integrative thinking.

- **User-centric design can help to keep development focused on real-world usefulness**
  Due in part to the influence of legal expertise in public sector organizations, public sector online services tend to prioritize compliance with formal frameworks over user experience. E-participation platform designers therefore need an explicit mandate to put user experience first. Of course, this is not to say that online platforms should be anything other than compliant with formal demands. However, in terms of design processes, achieving compliance with legal requirements should be a secondary objective downstream from the development of an engaging user experience. A similar note should be made about the approach of the technical staff and contractors developing online platforms and other digital support systems for citizens' participation. A unified approach should not be read as a *technically* unified 'super-system'. Rather, unification should be understood from the user perspective; as a unified form of access and a homogenous user experience. Underlying

such an experience may well be a number of heterogeneous systems; from the user point of view, this makes no qualitative difference.

2.9.2. Integrate participation processes

- **Formal and informal dialogue and consultation are points on the same spectrum**
  From a legal perspective, the different existing participatory mechanisms are distinct processes with discrete flows of information. From the point of view of citizens and decision-makers, however, it is more intuitive and useful to consider existing mechanisms and emerging experiments as points on a spectrum. Strategy formation in the Commission services and the European-level political parties could benefit equally from the opportunity to engage in informal dialogue with citizens. Such dialogues could help to build momentum around European citizens' initiatives and direct citizens to participate in consultations. Those issues that have no place in either might be taken up in petitions aimed at parliamentarians. A myriad of other connections is conceivable, which could be much easier drawn in an organically overlapping e-participation infrastructure than by discrete stand-alone platforms focused strictly on each mechanism.

- **Expert and stakeholder consultations and citizen participation are part of the same process**
  Drawing on experiences from technology assessment and foresight, concepts such as 'Policy Making 3.0' have sought to consolidate the insight that policy formation processes that integrate the evidence gathering, interest negotiation, and democratic dialogue in a structured and transparent way can provide both greater input and output legitimacy. Again, a legally oriented approach to these processes will focus on the existing rules concerning expert and stakeholder consultation and seek first and foremost to ensure compliance with these rules. The risk of an approach, however, which does not take into account the need for informal overlaps between these processes, is that it may push informal dialogues into the dark. A more integrated approach would present new challenges, but would also open up opportunities for more transparency in the policy formation processes of the EU.

- **E-participation and e-government are parts of a greater whole**
  E-participation and e-government should be viewed as part of the same movement towards a public sector of the 21st century. Europe cannot afford to consider e-government 'need to have' while e-participation is considered merely 'nice-to-have'; both are equally necessary.

2.9.3. Learn as you go

- **Starting small can help build trust**
  The road to the digital public sector of the future is by most accounts paved by trial-and-error and building on small successes rather than top-down planning of 'super-systems'. The guiding motto for the Swiss e-voting system – *safety before speed* – applies here in a broad sense: better to build on good and stable results towards a long-term goal than to overreach and fall short. To be sure, this is not a recommendation for further one-shot experiments. As discussed before, sustainability and tenacity is essential for citizens to have trust in the efforts by institutions to build platforms for participation and patterns of governance around them. With long-term commitment, one-shot experiments can in some cases do more harm than good to the relationship between the EU institutions and European citizens.

- **Co-creation beats perfect planning every time**
  The standard operating mode of public sector institutions, the European institutions included, is to separate decision-making and implementation. In projects involving external contractors, this separation is most often a formal requirement. This means that well-proven approaches to the building up of online communities – e.g. starting small with simple services that are obviously

helpful and easy to adopt, and such as ongoing user involvement and crowdsourcing of ideas – are very difficult to implement. This operating mode also makes it very difficult to engage in dynamic partnerships with, for instance, media organizations that might help to create traffic to participatory platforms. It is a standard complaint concerning public sector ICT-development that this separation between the project owner and the developer favors planning over agility and top-down decision-making over bottom-up co-creation. Most leading advisors (from the EC Expert Group on Public Sector Innovation (EC 2013) to the OECD (2015)) therefore agree that innovative solutions to, for example, e-participation demands a new mindset. Central to such a new mindset is a focus on co-creation and a reinterpretation of formal and informal rules governing development efforts.

2.9.4. Organizational support is necessary

- **High-level support and coordination**
  None of the above recommendation will be possible without high-level, cross-cutting political support, guidance and investment. A high-level coordination group with cross-institutional participation and authority could thus be established to ensure that the efforts of different administrative bodies towards a unifying vision and strategy on e-participation work in the same direction.

3. References

For the complete literature list, see part 1 of the report: literature review.

In order to make e-participation tools at the EU level more successful, this report provides four policy options:

1) Stimulate experiments with participatory budgeting in relation to the regional and social funds, since e-budgeting produces the strongest results when it comes to impact on decision-making,

2) expand online engagement with MEPs beyond petitions, particularly a public functionality for posing questions to MEPs and their staff,

3) create a platform for monitoring Member State action during Council decision-making since key information is simply not available through ordinary channels, and

4) explore crowdsourcing of policy ideas for the Commission. Early stage policy development could benefit from open and frank sharing of ideas between citizens, Commissioners and their staff.