Looking back at the Conference on the Future of Europe

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Executive Summary

This paper assesses so-called "Conference on the Future of Europe" (CoFoE), discussing the lack of financial transparency, media manipulation and biased communication campaigns, making "CoFoE" a troubled exercise from its very start.

Secondly, the suboptimal process is being highlighted, illustrating how selection of both participants and experts was flawed, as well as the process to decide the recommendations coming out of the Conference.

A third Chapter then singles out the proposals that are most outrageous from the point of view that the European Union should focus on being a platform to scrap trade barriers, not a new layer of governance, overriding the policy choices of the EU's 27 national democracies.

In a fourth part, an overview is provided of how policy makers from various political perspectives have reacted to CoFoE.

Chapter I. Lack of financial transparency, media manipulation and biased communication campaigns

1. Lack of financial transparency

Already in April 2021, it was clear that lack of financial transparency would be a major issue for the Conference on the Future of Europe when a majority of Members of European Parliament voted to reject a resolution calling for transparency on the financing of the Conference on the future of the Union.

Only 329 MEPs supported the following text, while 360 MEPs voted against it, and 10 MEPs abstained:

"51 a. Notes the setting up of the Conference on the future of the Union; calls for clarification as soon as possible of the conditions for financing this conference and the consequences for the institution's budget; calls for a commitment to full transparency on the expenditure of this conference, including the keeping of separate accounts and an audit report by the European Court of Auditors for each year of functioning."²

As a result, it should not surprise that the European Parliament flatly refused to disclose how much taxpayer funds it was spending for CofoE.

In January, Brussels Report published³ a leak of an internal note from the European Parliament, revealing that until 31 October 2021, the EP already committed to pay 6.87 million euro for expenses incurred for the purpose of the "Conference on the Future of Europe" or "CoFoE".

Also the European Commission has been less than forthcoming to provide transparency. This despite the fact that throughout the process, selected MEPs from various groups have been insisting⁴ on this. In December 2021, a group of MEPs, including Swedish MEP Charlie Weimers (SD, ECR), urged the EU institutions to "give citizens EU transparency for Christmas!", in particular when it comes to CoFoE. Charlie Weimers then commented⁵: "It is sad to see the lack of transparency and the reluctance with which the Commission only provided partial answers. It is a tragedy that Parliament has offered, and that media have accepted, funding tied directly to reporting on the Conference. This calls into question the objectivity of their reporting and highlights the lack of citizen interest in this Conference."

² To see how individual MEPs voted: https://realconferenceonfuture.eu/2021/05/06/voting-against-financial-transparency-the-excuses-are-in/ https://realconferenceonfuture.eu/2021/05/03/meps-just-voted-against-financial-transparency-for-the-conference-on-the-future-of-europe/

³ https://www.brusselsreport.eu/2022/01/13/exclusive-eu-parliament-already-spent-6-87-million-euro-on-the-conference-on-the-future-of-europe/

⁴ https://www.europarl.europa.eu/doceo/document/E-9-2021-002516 EN.html

⁵ https://www.brusselsreport.eu/2022/01/13/exclusive-eu-parliament-already-spent-6-87-million-euro-on-the-conference-on-the-future-of-europe/

In October 2021, European Commission vice-President Dubravka Šuica openly refused to respond questions from MEPs on CoFoE financial transparency, only stating the following:

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

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

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

Only following heavy pressure did the Commission finally come up with figures, in December 2021. Commissioner Šuica then stated⁷:

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

She thereby added that CoFoE "activities are supported via the existing administrative structures of the Commission", however still refusing to disclose how many working hours are spent by EU officials on CoFoE.⁸

Worst of all has been the performance of the Council of the EU, which has provided zero transparency on its CoFoE spending. Perhaps that should not surprise, given how in its ordinary legislative activities, the institution is by far the least intransparent EU institution. Perhaps this may explain why governments of EU member states tend to enjoy legislative action at the EU level, rather than at the national level, where they are constantly haunted by the scrutiny of national parliaments.

⁶ https://www.europarl.europa.eu/doceo/document/B-9-2021-0368 EN.html https://www.europarl.europa.eu/doceo/document/E-9-2021-002935 EN.html https://www.europarl.europa.eu/doceo/document/E-9-2021-002516 EN.html and https://www.europarl.europa.eu/doceo/document/P-9-2021-003795-ASW EN.html#def1

⁷ https://www.europarl.europa.eu/doceo/document/E-9-2021-004172-ASW_EN.html

⁸ https://www.europarl.europa.eu/doceo/document/E-9-2021-004172-ASW_EN.html

One example of lack of financial transparency with the CoFoE process was how the European Parliament issued invitations for "calls for proposals" to generate engagement with CoFoE. When two calls for proposals" were issued by the European Parliament, they were not published on the website of the "Conference on the Future of Europe" itself, but only on some dark corner of the European Parliament's website.

A second example of lack of financial transparency in the CoFoE process is how in the European Commission's contract¹⁰ with Kantar Group, a data analytics and brand consulting company, tasked with the selection process of participants to CoFoE, information is being blacked out on the "Cost for recruitment of 400 participants from 27 Member States to attend two panels of 200 participants each for one sent for each group (and a back-up list of 100 participants including all other tasks as described above)":

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⁹ Call for proposals COMM/SUBV/2020/M for the co-financing of media actions under the multi-annual work programme for grants in the area of communication 2020-2021 https://www.europarl.europa.eu/contracts-and-grants/files/grants/media-and-events/en-call-for-proposals-media-2020-COMM-SUBV-2020-M.pdf Call for proposals COMM/SUBV/2020/E for the co-financing of citizens' engagement actions under the multi-annual work programme for grants in the area of communication 2020-2021 https://www.europarl.europa.eu/contracts-and-grants/files/grants/media-and-events/comm-subv-2020-e/call-for-proposals-engagement-2020-comm-subv-2020-e.pdf https://realconferenceonfuture.eu/2021/05/11/follow-the-money-part-one-the-european-parliament/ https://futureu.europa.eu/uploads/decidim/attachment/file/20890/Specific Contract 1-selection-citizens-panels.pdf



2. Buying media attention

Financial transparency is not the only problem with the EU's CoFoE spending. Troubling was also the way in which these taxpayers resources were spent.

The leaked EP note also revealed¹¹ that the European Parliament's Directorate-General for Communication (DG COMM) awarded a grant to fourty media from twenty-one EU Member States, which included "12 main press agencies" and "28 multimedia projects".

European Parliament Secretary-General Klaus Welle thereby specifies the following in the note: "It is expected that the selected media will contribute to amplify the debate and encourage their audiences to participate..."

These kinds of practices are very common for the European Parliament. The institution tends to financially support mass media, handing out¹² funds to numerous important media players.

¹¹ https://www.brusselsreport.eu/2022/01/13/exclusive-eu-parliament-already-spent-6-87-million-euro-on-the-conference-on-the-future-of-europe/

https://www.brusselsreport.eu/2021/07/07/how-the-european-parliament-financially-supports-mass-media/

The European Parliament's complaints about government meddling in media in places like Hungary contrast starkly with the institution's habit to make those that are supposed to scrutinize the EP financially dependent.

On top of that, there is also evidence of the European Parliament buying¹³ social media ads to promote CoFoE. Due to the lack of financial transparency by the EU institutions, it is not easy to determine to how much the total cost has been per social media user exposed to CoFoE messaging, but early indications suggest¹⁴ the cost was high.

3. Biased communication campaigns

Last but not least, communication campaigns supposed to highlight the Conference on the Future of Europe (CoFoE) were openly biased in favour of one particular vision for the future of the European Union.

This was visible for example with a campaign financed by the "Trio Presidency of the EU Council", composed of Germany, Portugal and Slovenia. The campaign¹⁵, run in Summer 2021, was dedicated to "kicking off promoting the Conference on the Future of Europe with 4 slogans on 35 trams around Helsinki". Not only did it feature slogans like "Europe United". The Portugese Embassy also specified¹⁶ the goal was to promote "a stronger and more united European Union".

Also telling was how the "Young European Federalists", a group supporting greater transfers of power and money to the EU level, received ¹⁷ EU funding to "inform and organise consultations with young Europeans to promote youth participation in the Conference on the Future of Europe". Surely, financing a group with a certain bias to promote taking part to CoFoE does not amount to neutral communication.

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¹³ https://realconferenceonfuture.eu/2021/06/10/buying-attention/

¹⁴ https://realconferenceonfuture.eu/page/2/

¹⁷ https://twitter.com/JEF Europe/status/1388132276307906560

Chapter II. The problematic CoFoE process

1. The setup of CoFoE

The idea behind the Conference on the future of Europe was to enable European citizens to express their opinion on the EU's future policies and functioning.

At the heart of CoFoE was therefore the so-called **"Multilingual Digital Platform"**, a "Multilingual hub for citizens to share and debate ideas." ¹⁸

There were also four "**European Citizens' Panels**", which are "Forums where citizens discuss specific themes and provide a set of recommendations to the Conference plenary for the EU institutions to follow up". There were 200 citizens on each panel, "selected at random", in total amounting to 800 citizens. They "hold debates, including on the basis of contributions from the digital platform, and feed into the discussion of the Conference plenary with recommendations for the EU institutions to follow up. To adopt recommendations, it is necessary to convince 70% or more of the members of citizen panel that are casting a vote.¹⁹

The topics these citizen panels were "A stronger economy, social justice and jobs / Education, culture, youth and sport / Digital transformation" (I), "European democracy/Values and rights, rule of law, security" (II), "Climate change, environment / Health" (III) and "EU in the world / Migration" (IV).

The key driver of CoFoE is the so-called "**Executive Board**"²⁰, composed of 9 representatives: 3 from the European Parliament, 3 from the Council of the EU and 3 from the European Commission. It has three "Co-Chairs": Belgian Renew MEP Guy Verhofstadt (representing the European Parliament), European Commissioner for Democracy and Demography Dubravka Šuica (representing the European Commission) and a representative of the rotating EU Council Presidency.

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

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

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Credential=AKIA3LJJXGZPDFYVOW5V%2F20211228%2Feu-central-1%2Fs3%2Faws4 request&X-Amz-

Date=20211228T142904Z&X-Amz-Expires=300&X-Amz-SignedHeaders=host&X-Amz-

Signature=8a787b80738f4f1e070961c11d03b5dfeea2c42d00fdf5b8381526b85b5ce013 and

 $\frac{https://www.euractiv.com/section/future-eu/news/cofoe-could-cause-disquiet-in-commission-over-citizens-wishes-to-change-treaties/$

¹⁸ https://www.europarl.europa.eu/news/en/press-room/20210414IPR02003/conference-on-the-future-of-europe-launch-of-the-multilingual-digital-platform

¹⁹ Conference on the Future of Europe, Report: Panel 2, session 3 <a href="https://prod-cofe-platform.s3.eu-central-1.amazonaws.com/afosgy48ot11yrvtlk7f59dyyf72?response-content-1.amazonaws.com/afosgy48ot11yrvtlk7f59dyyf72?response-1.amazonaws.com/afosgy48ot11yrvtlk7f59dyyf72?response-1.amazonaws.com/afosgy

disposition=inline%3B%20filename%3D%22Panel%202%20session%203%20Report_FINAL.pdf%22%3B%20filename%2A%3DUTF-8%27%27Panel%25202%2520session%25203%2520Report_FINAL.pdf&response-content-

²⁰ https://futureu.europa.eu/pages/executive-board?format=html&locale=en

the Executive Board and the Plenary". The executive board also includes "observers from the European Parliament, Council, national parliaments, Economic and Social Committee, Committee of the Regions, other EU institutions and European social partners".

Importantly, the Executive Board invited **experts** to participate in events of the Conference, in particular to the European Citizens Panels.

At regular times, a "**Conference Plenary**" is organized which counts 449 representatives and "debates and discusses (...) the recommendations from the Citizens' Panels" as well as "the input from the multilingual platform". It puts forward Proposals to the Executive Board, on a consensual basis.

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

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

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

The Plenary's are prepared by **9 thematic working groups, composed of selected** participants to the Plenary²¹:

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

- Education, culture, youth and sport

The Conference Plenary adopted²² its **49 proposals²³** on 30 April 2022. These include more than 300 measures across 9 themes and were based on 178

²¹ https://futureu.europa.eu/uploads/decidim/attachment/file/12747/List Plenary working groups EN.pdf

https://www.europarl.europa.eu/news/en/press-room/20220429IPR28218/future-of-europe-conference-plenary-ambitious-proposals-point-to-treaty-review https://www.europarl.europa.eu/news/en/press-room/20220429IPR28227/treaty-review-necessary-to-implement-conference-proposals-parliament-declares

²³ Final CoFoE report: https://prod-cofe-platform.s3.eu-central-1.amazonaws.com/8pl7jfzc6ae3jy2doji28fni27a3?response-content-

recommendations from the European Citizens' Panels, input from the National Panels and events, ideas from the European Youth Event, and 43 734 contributions on 16 274 ideas recorded on the multilingual digital platform.

Following CoFoE, Members of European Parliament passed a **resolution**²⁴, backing the outcome of the Conference on the Future of Europe and calling for a change to the EU treaties to facilitate the implementation of the recommendations coming out of CoFoE.

In particular, the European Parliament "is asking the Committee on Constitutional Affairs to prepare proposals to reform the EU Treaties, which would happen through a Convention in line with Article 48 of the Treaty on European Union."

During the follow-up process, EU institutions will now assess all citizens' proposals through the EU ordinary legislative process. Some of these proposals will be subject to a unanimity vote in the Council.²⁵ CoFoE's Executive Board has also announced a feedback event will take place in autumn 2022, supposedly to "update citizens on how EU Institutions will live up to their commitment to follow up on citizens' proposals."²⁶

2. Self-selection bias and a complete lack of balance in the choice of experts

In November 2021, ECR MEP Michiel Hoogeveen remarked that²⁷ "my working group ended up being a debate club for MEPs and MPs", describing how during the COFOE plenary, the so-called "citizens" taking part were "a former MEP, a professor from the European Movement of Spain and the founding member of Pulse of Europe, a pro-EU movement": Hoogeveen concludes: "What we see is a conference that lacks the input of farmers, teachers and blue collar workers". He further also lamented that "in the citizen panel, I saw experts with outspoken views."

These kinds of remarks have been rife throughout the CoFoE process.

Kantar Group has been hired to select citizens for the "European Citizen Panels, based on their contributions to the Multilingual Digital Platform. Kantar's own reports²⁸ do provide certain statistics but they do not make clear how citizens are actually being selected.

changes-to-reform-eu/

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https://ec.europa.eu/info/strategy/priorities-2019-2024/new-push-european-democracy/conference-future-europe_en#:~:text=These%20proposals%20covered%20nine%20topics,%2C%20culture%2C%20youth%20and%20sport.

24 https://www.europarl.europa.eu/news/en/press-room/20220429IPR28227/treaty-review-necessary-to-implement-conference-proposals-parliament-declares_https://www.euractiv.com/section/future-eu/news/meps-support-treaty-

²⁵ https://www.euractiv.com/section/future-eu/news/meps-support-treaty-changes-to-reform-eu/

²⁶ https://twitter.com/K Boronska/status/1523625631606788096

²⁷ https://twitter.com/EP Speeches/status/1455250565055795207

²⁸ <u>https://futureu.europa.eu/pages/plenary</u>

Professor Alberto Alemanno, involved with COFOE as an expert observer, provides²⁹ some clarity on this:

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

In the contract with Kantar³⁰, it admits how troubled exercises similar to COFOE have been in the past:

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

It adds:

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

Still, the actual recommendations do not seem to have delivered an outcome that can be considered balance in any way. When discussing the first series of recommendations coming out of CoFoE, Professor Alberto Alemanno³¹, a keen supporter of the whole initiative, remarks: "The recommendations look suspiciously integrationist in their orientation". He makes these observations in an interview³² with a magazine linked to Central European University – also not known to Eurosceptic in any way, with the interviewer remarking: "One might have an impression that this was a meeting of the European Federalists".³³ In sum, that the recommendations have a clear EU-federalist bias is something hardly up for debate.

Belgian academic David Van Reybrouck, a renowned expert on citizen representation, has called the conference "amateuristic and not representative", adding "everything that could go wrong has go wrong", and "the contributions by citizens get lost in processes that are way too complex", as "the only people that

²⁹ https://revdem.ceu.edu/2021/12/18/future-of-europe-its-not-about-treaty-change-its-about-european-democracy/

³⁰ https://futureu.europa.eu/uploads/decidim/attachment/file/20890/Specific Contract 1 - selection citizens panels.pdf

³¹ https://www.hec.edu/en/faculty-research/faculty-directory/faculty-member/alemanno-alberto

³² https://revdem.ceu.edu/2021/12/18/future-of-europe-its-not-about-treaty-change-its-about-european-democracy/

³³ https://revdem.ceu.edu/2021/12/18/future-of-europe-its-not-about-treaty-change-its-about-european-democracy/

reacted were pure europhiles". "I believe there were only 20.000 submissions in total, which is simply laughbable for a continent of 500 million people."³⁴

Here Van Reybrouck clearly refers to the problem of what is known as "self-selection bias". This has been described³⁵ as follows:

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

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

While self-selection bias was probably always hard to avoid, there should be much less forgiveness for the fact that a lot of the "independent experts", invited by the executive board to sit in the European Citizens' Panels, to inform European citizens³⁶, were strongly biased in favour of EU federalism. I made an analysis of the 27 of the listed "independent experts" for the four citizen panels³⁷ and 17 out of 27 of them have a clear professional dependency on EU funds, for example in their capacity as "Jean Monnet Chair", which can provide them with grants of to 50.000 euro annually³⁸. The European Commission explains on its website that Jean Monnet funded programmes do not only entail "teaching and research in the field of European Union studies" but that "EU studies should promote active European citizenship and values" as well, adding that "the Jean Monnet Actions also strive to function as a vector of public diplomacy towards third countries, promoting EU values and enhancing the visibility of what the European Union stands for and what it intends to achieve." In sum, declaring these experts to be "independent" is simply factually incorrect.

3. Lack of media attention and low public engagement

Despite official statistics revealing that more than 5 million unique visitors CoFoE's online platform, and more than 700,000 event participants,⁴¹ serious question marks can be raised with regards to the success of CoFoE to draw attention to its activities.

Euractiv notes:

³⁴ Studio Europa podcast, 26'40 in: https://studioeuropamaastricht.nl/2022/01/17/conference-on-the-future-of-europe-david-van-reybrouck/ and https://www.youtube.com/watch?v=dkraN429mal

³⁵ https://methods.sagepub.com/reference/encyclopedia-of-survey-research-methods/n526.xml

³⁶ https://www.europarl.europa.eu/news/en/headlines/eu-affairs/20210902STO11111/future-of-europe-citizens-panels-take-the-floor

³⁷ https://futureu.europa.eu/assemblies/citizens-panels/f/298/

³⁸ https://erasmus-plus.ec.europa.eu/opportunities/organisations/jean-monnet-actions/jean-monnet-chairs

³⁹ https://erasmus-plus.ec.europa.eu/programme-guide/part-b/jean-monnet-actions/higher-education

https://realconferenceonfuture.eu/2022/04/06/cofoe-shady-procedures-contributing-to-shady-conclusions/ https://realconferenceonfuture.eu/2022/02/17/a-testimony-on-how-cofoe-is-rigged/

⁴¹ https://ec.europa.eu/info/strategy/priorities-2019-2024/new-push-european-democracy/conference-future-europe_en#:~:text=These%20proposals%20covered%20nine%20topics,%2C%20culture%2C%20youth%20and%20sport

"Since the beginning of the conference, stakeholders have expressed concerns over MEPs not attending plenary, a lack of high-level engagement, and fears that lawmakers would simply ignore proposals that didn't fit their agenda.

In a letter seen by EURACTIV at the beginning of April, citizens complained about the lack of participation by many politicians at meetings in Strasbourg.

Tuomas Suihkonen, a representative from one of the European citizens' panels dedicated to migration and EU foreign policy, told EURACTIV that he was disappointed that "we did not see many politicians there, or they were leaving after their own speeches. With just a few representatives of both EU and national institutions in the room, I doubt we can make a decent conversation".

Participants were also concerned that a lack of widespread media coverage would mean less pressure on lawmakers to implement proposals."42

One citizen that took part, Petersen Troels De Leon from Denmark, recalls:"I expected that politicians would have given suggestions on how to meet our requests, instead of making general statements or trying to put topics on their agendas, which have nothing to do with our recommendations." He reportedly added that some MEPs explicitly said they would only work on recommendations they were interested in.⁴³

In a comment piece, another citizen, Kaspar Schultz, from Estonia, complained:

"As of now, working groups and plenaries do not feel different from one another. There is no dialogue and really, there cannot be any discussion if groups involve 40+ people without any division into smaller, more focused working groups.

It also does not make sense to pretend that we are all equal as participants. Politicians have earned their position at the conference by being skilled communicators. When the game is speeches, then citizens simply cannot compete."44

Back in fall, participants complained that there was a lack of time for discussion and that, apparently, too many topics had been crammed into a short time window.⁴⁵

As a result, there was only low public interest for CoFoE's digital platform, something also confirmed by the German government⁴⁶ and by CoFoE's Third Interim report,⁴⁷

⁴² https://www.euractiv.com/section/future-eu/news/meps-support-treaty-changes-to-reform-eu/

⁴³ https://www.euractiv.com/section/future-eu/news/disinterest-from-politicians-clouds-eus-deliberative-democracy-experiment/ and

https://twitter.com/EURACTIV/status/1488157628446519296?t=28pbWnfsYPbqHh75v-iesQ&s=03

⁴⁴ https://www.cofoe.euractiv.com/post/too-much-democracy-can-be-dangerous

⁴⁵ https://www.euractiv.com/section/future-eu/news/macron-presents-frances-eu-council-presidency-priorities/

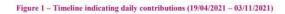
⁴⁶ https://dserver.bundestag.de/btd/19/318/1931895.pdf

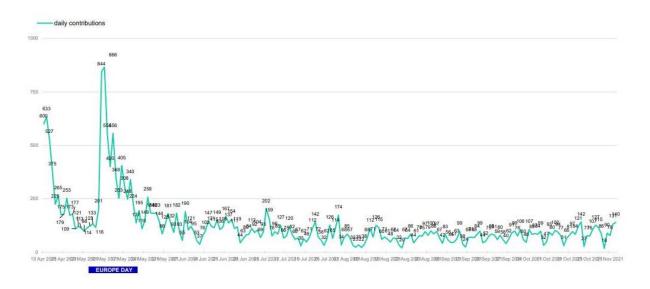
⁴⁷ https://prod-cofe-platform.s3.eu-central-1.amazonaws.com/tkxsp2eysxg3poesqmxk3dmkidrh?response-content-

 $[\]frac{disposition=inline\%3B\%20filename\%3D\%22Kantar\%20Third\%20Interim\%20Report\%20final\%20version\%20EN.}{pdf\%22\%3B\%20filename\%2A\%3DUTF-}$

^{8%27%27}Kantar%2520Third%2520Interim%2520Report%2520final%2520version%2520EN.pdf&response-

which clearly depicts how despite initial interest in Spring 2021, when CoFoE was launch, in order for the number daily contributions to quickly collapse and never recover:





content-type=application%2Fpdf&X-Amz-Algorithm=AWS4-HMAC-SHA256&X-Amz-Credential=AKIA3LJJXGZPDFYVOW5V%2F20211227%2Feu-central-1%2Fs3%2Faws4_request&X-Amz-Date=20211227T180649Z&X-Amz-Expires=300&X-Amz-SignedHeaders=host&X-Amz-Signature=06a1ae5efa2bc061c1e7fa97f8c6af015ee3ec58adec2740655d2892a3d6dfbahttps://realconferenceonfuture.eu/2021/11/12/talking-shops-fail-to-generate-interest/

Chapter III. The 10 most outrageous proposals coming out of CofoE

In order to highlight the extreme nature of the proposals coming out of CoFoE, hereunder a list is published⁴⁸ of 10 of the most outrageous ones, from the point of view that the European Union should focus on being a platform to scrap trade barriers, not a new layer of governance, overriding the policy choices of the EU's 27 national democracies.

1. "Having the same fiscal rules in Europe and harmonising fiscal policy across all the EU"49

The idea of the European Union constraining all taxation power of EU member states and not only VAT or certain selected areas is a top priority for EU federalists. Apart from the economic downsides of having to miss out on the benefits of tax competition, there are also grave democratic downsides to this idea, given how it would deprive national parliaments from the ability to scrutinize taxation.

2. "Create an online platform where citizens can find and request factchecked information. The platform should be clearly associated with EU institutions"⁵⁰

The obvious name that could be given to this platform is "EU Ministry of Truth". In fact, such a platform already exists, specifically focused however on Russia's disinformation campaigns. One failure by the "EUvsDisinfo" platform⁵¹ of the European External Action contributed in 2018 to a large Dutch parliamentary majority demanding⁵² to take down the platform. Naturally, there is a lot of disinformation out there, but to assume governments, let alone the EU, are somehow well fit to fight this, is bound to go wrong.

3. "The introduction of a minimum wage to ensure similar quality of living across all Member States" 53

Apart from the economic damage an EU minimum wage would inflict in poorer EU member states, where it would outprice many workers, forcing them into the precarious working conditions of the black market, such heavy-handed top-down EU economic planning would also dramatically upset the social model of the Nordic countries. It is a corner stone of that social model for employers and employee to agree working conditions amongst each other. Because of this reason, Sweden's trade unions are heavily opposed to an EU minimum wage.⁵⁴ The Swedish government is only permitting EU talks on this to continue as long as Sweden is

⁴⁸ With particular thanks to my colleague Laurent

⁴⁹ Panel 1, recommendation 13 https://futureu.europa.eu/assemblies/citizens-panels/f/298/posts?assembly_slug=citizens-panels&component_id=298&locale=en

⁵⁰ Panel 2, recommendation 17 https://futureu.europa.eu/assemblies/citizens-panels/f/299/?locale=en

⁵¹ https://euvsdisinfo.eu/about/

⁵² https://euobserver.com/opinion/141458

⁵³ Panel 1, recommendation 30 https://futureu.europa.eu/assemblies/citizens-panels/f/298/posts?assembly_slug=citizens-panels&component_id=298&locale=en

⁵⁴ https://socialeurope.eu/a-minimum-wage-directive-could-undermine-the-nordic-model

exempt.⁵⁵ In the first place, however, the European Union has no competence whatsoever to affect the wage-setting process.⁵⁶

4. "A future 'Joint Armed Forces of the European Union" 57

Few military experts have ever endorsed a "European army", given how remote this idea is from reality. As one military expert, retired Belgian colonel Roger Housen puts it: "Hoping for a European army or a sufficiently strong European Defence Community that is able to cope on its own is a delusion, a pipe dream. At least in the short or medium term. If one wants Europe to be able to carry out a relatively limited military operation, as was initially intended in Libya in 2011, one would first need to invest 300 to 350 billion euro in so-called "strategic enablers". Transport planes, tank planes, satellites, intelligence, air defence systems, precision munitions. (...) If one wants to take on a country like Russia without the United States, one would need a multiple of that 300 billion euro. Without that money, then, like today, one can have a rapid reaction force of 5,000 men. Later on, they want to increase that to 50,000. However, then there is the elephant in the room: will the French or the British or the Germans put their soldiers under the command of a supranational EU body? What body? With which rules of engagement? That has still not been clarified. In short, let us keep both of our feet on the ground: we have an alliance that works, with a big brother who has proven to be ready when it matters."58

5. "Health [policy] harmonised for the entire EU"59

The recommendation in full reads as follows:

"We recommend promoting social policies and equality of rights, including health, harmonised for the entire EU, which take into consideration agreed regulations and the minimum requirements throughout the territory."

Clearly, the experience of the EU's joint vaccine procurement, which in 2021 led to the EU losing valuable time to roll out vaccines, as compared with the United Kingdom or the United States, has not been adopted as a lesson.

As Politico summed⁶⁰ it up:

"EU countries stuck together even as the U.S. and the U.K. bought, approved and began injecting vaccines at a faster clip. The result: lower prices, with higher accountability for drugmakers, and shots for the whole of the EU — but also delays in delivery and rising tensions among EU member countries resentful about the tradeoffs."

⁵⁵ https://www.politico.eu/article/sweden-backs-eu-minimum-wage-directive-longtime-opposition/

⁵⁶ https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A12008E153

⁵⁷ Panel 4, recommendation 20 https://futureu.europa.eu/assemblies/citizens-panels/f/301/?locale=en

 $[\]frac{58}{\text{https://www.hln.be/binnenland/portret-kolonel-roger-housen-61-als-de-britten-en-de-amerikanen-doen-wat-ze-zeggen-betekent-dit-de-derde-wereldoorlog~a581cacf/}$

⁵⁹ Panel 1, recommendation 19 https://futureu.europa.eu/assemblies/citizens-panels/f/298/posts?assembly_slug=citizens-panels&component_id=298&locale=en

⁶⁰ https://www.politico.eu/article/europe-coronavirus-vaccine-struggle-pfizer-biontech-astrazeneca/ Also: https://www.brusselsreport.eu/2021/03/17/a-closer-look-at-the-eus-bungled-vaccine-management/

Trusting eurocracy with something as crucial as health policy may not be the best idea since sliced bread. Probably more than in other policy areas, the costs of a one-size-fits-all approach are high.

6. "The implementation of a joint and collective migration policy in the FU"61

Choices on migration policy are particularly sensitive throughout the world, both in countries traditionally open to migration, like the United States, or in countries with different traditions. Already for national politicians, it has proven very hard to defend the right policy choices here, so one can only wonder what would happen if such sensitive choices were to be outsourced to a supranational policy level where the technocrats of the European Commission have great influence over policies without having to risk their jobs over it, like national elected representatives. Furthermore, the European Union already has already spent billions⁶² to stop irregular migration, which greatly damages the cause for more immigration among Europeans, and unfortunately, the EU has not been particularly successful at ending this, also because it refuses to consider alternative policy approaches that have worked, like the Australian approach, now also tried in a slightly updated format by Denmark⁶³, which enjoys an opt-out, and the UK.

7. Greater EU powers over "rule of law" violations by EU member states⁶⁴

In particular, the CoFoE panel requests:

'We recommend that the conditionality regulation (2020/2092, adopted on 16 December 2020) is amended so that it applies to all breaches of the rule of law rather than only to breaches affecting the EU budget.'

So far, EU member states have been wary to declare one of their own to be violating the rule of law, which led to a new EU regulation being adopted specifically focused on breaches affecting the EU budget. Also in this area, EU member states may remain wary, especially now that member states like Poland, which were kept in mind during the design of this regulation, have become a lot more important following the war in Ukraine.

The question is of course not whether national governments in the EU sometimes violate the rule of law. Unfortunately, that is obvious. The question is whether the European Union is the right platform to address this and whether justice should even be an EU competence. Perhaps the Council of Europe may be better fit here. Accusations of "double standards" can be easily proven by those member states that would be singled out, given how the problem is not limited to a few member states. The one thing EU member states could do is to end or drastically cut EU financial transfers altogether, without discrimination, given how these EU transfers have

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⁶¹ Panel 4, recommendations 29, 31, 33, 36, 37 and 40 https://futureu.europa.eu/assemblies/citizens-panels/f/301/?locale=en

⁶² https://www.dw.com/en/how-the-eu-spent-billions-to-halt-migration-from-africa/a-61362906

⁶³ https://www.brusselsreport.eu/2021/06/15/the-eu-should-consider-to-adopt-the-danish-approach-to-immigration/

⁶⁴ Panel 2, recommendation 10 https://futureu.europa.eu/assemblies/citizens-panels/f/299/?locale=en

proven⁶⁵ to either prop up organized crime and oligarchs, while worsening the problem of corruption in member states where this already was a serious challenge.

8. "An election law for the European Parliament that harmonises electoral conditions" including voting for transnational parties⁶⁶

The CoFoE panel requests in particular:

'We recommend adopting an election law for the European Parliament that harmonises electoral conditions (voting age, election date, requirements for electoral districts, candidates, political parties and their financing). European citizens should have the right to vote for different European Union level parties that each consist of candidates from multiple Member States. During a sufficient transition period, citizens could still vote for both national and transnational parties.'

Also here, a core tenet of national democracy – determining the organization of elections – is being touched. A lot would depend on the implementation⁶⁷, but basically, this would mean that for an EU member state, many of its policies would not only decided by politicians elected in other EU member states, which is the case now, but that some of its own MEPs would now need to make room for MEPs from other member states. In sum, this would be yet another EU-induced erosion of national democracy.

9. "All issues decided by way of unanimity are changed to be decided by way of a qualified majority"68

In particular, the CoFoE panels desire:

- 'We recommend that the voting systems in the EU institutions should be reassessed focusing on the issue of unanimous voting. Voting 'weight' should be calculated fairly, so that small countries' interests are protected.'
- 'We recommend that all issues decided by way of unanimity are changed to be decided by way of a qualified majority. The only exceptions should be the admission of new membership to the EU and changes to the fundamental principles of the EU as stated in Article 2 of the Lisbon Treaty and the Charter of Fundamental Rights of the European Union.'

Once again, this would entail a grave erosion of national democratic control over the EU legislative machine. At the moment, already about two thirds⁶⁹ of the impact of regulation derives from the EU level. This would only make it easier to agree regulations at the European level that are typically much harder to change, as

https://twitter.com/alemannoEU/status/1521471978946842624

⁶⁵ https://www.brusselsreport.eu/2021/06/24/if-it-is-serious-about-fighting-cronyism-the-eu-could-cut-its-spending/

⁶⁶ Panel 2, recommendation 16 https://futureu.europa.eu/assemblies/citizens-panels/f/299/?locale=en

⁶⁷ The European Parliament has voted in favour of one format

⁶⁸ Panel 2, recommendation 20 https://futureu.europa.eu/assemblies/citizens-panels/f/299/?locale=en and Panel 4, recommendation 21 https://futureu.europa.eu/assemblies/citizens-panels/f/301/?locale=en

⁶⁹ https://www.brusselsreport.eu/2015/04/01/do-we-need-eu-regulation-to-open-up-trade-in-europe-mutual-recognitionversus-harmonisation/

compared to national legislation, further undermining innovation in the EU's economies.

10. The creation of [an EU] Constitution⁷⁰

The CoFoE panel's wish is the following:

"We recommend that the EU re-opens the discussion about the constitution of Europe with a view to creating a constitution informed by the citizens of the EU. Citizens should be able to vote in the creation of such a constitution. This constitution, in order to avoid conflict with the Member States, should prioritise the inclusion of human rights and democracy values. The creation of such a constitution should consider previous efforts that never materialised to a constitution."

An "EU Constitution" is part and parcel of EU federalist daydreaming. The proposal for a European Constitution has however already been outvoted in referendums by a solid majority of citizens of two founding EU member states, France and the Netherlands, in 2005. The response of EU governments was to ignore these popular votes and to repackage the European Constitution into the Lisbon Treaty, pushing it through anyway – not before asking Ireland to vote twice on it. There was no mandate for such a material transfer of power to the EU back in 2005, and no opinion indicates that this has really changed.

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⁷⁰ Panel 2, recommendation 35 https://futureu.europa.eu/assemblies/citizens-panels/f/299/?locale=en

Chapter IV. Reactions to CoFoE

1. The European Commission

European Commission President von der Leyen have provided tacit support for Treaty change⁷¹ Von der Leyen specifically singled out health care and defence for areas where veto powers ought to be scrapped, stating:

«We need to go even further. For example, I have always argued that unanimity voting in some key areas no longer makes sense, if we want to move faster. Europe should also play a greater role in health or defence.»⁷²

2. EU Member States

Following the conclusion of the Conference on the Future of Europe, French President Macron stated that he supports one of its proposals to phase out unanimous decisions and make the EU more efficient. Macron, who was the driving force behind CoFoE⁷³, also declared to be open to treaty change.⁷⁴ Also Italian PM Draghi, a close ally of Macron has tacitly supported Treaty change.⁷⁵

However, a "Non-paper" by Bulgaria, Croatia, the Czech Republic, Denmark, Estonia, Finland, Latvia, Lithuania, Malta, Poland, Romania, Slovenia, and Sweden on the outcome of and follow-up to the Conference on the Future of Europe – ultimately endorses by 13 EU member states⁷⁶ - warned:

"We recall that Treaty change has never been a purpose of the Conference. What matters is that we address the citizens' ideas and concerns. While we do not exclude any options at this stage, we do not support unconsidered and premature attempts to launch a process towards Treaty change. This would entail a serious risk of drawing political energy away from the important tasks of finding solutions to the questions to which our citizens expect answers and handling the urgent geopolitical challenges facing Europe. (...) We already have a Europe that works. We do not need to rush into institutional reforms in order to deliver results.⁷⁷"

On the other hand, EU treaty change is 'not a taboo,' German Chancellor Scholz reacted, however also cautioning against 'time-consuming navel-gazing on

⁷¹ https://www.euractiv.com/section/future-eu/news/von-der-leyen-hints-at-support-for-eu-treaty-change/https://www.worldpoliticsreview.com/trend-lines/30534/treaty-politics-europe-figure-high-on-macronagenda

⁷² https://twitter.com/vonderleyen/status/1523631178170863616

⁷³ https://www.worldpoliticsreview.com/trend-lines/30534/treaty-politics-europe-figure-high-on-macronagenda

⁷⁴ https://twitter.com/tom nuttall/status/1527186340688941056

⁷⁵ https://www.euractiv.com/section/future-eu/news/von-der-leyen-hints-at-support-for-eu-treaty-change/https://www.worldpoliticsreview.com/trend-lines/30534/treaty-politics-europe-figure-high-on-macronagenda

⁷⁶ https://www.politico.eu/newsletter/brussels-playbook/treaty-change-not-dead-yet-the-eus-military-play-a-look-inside-brussels-renewables-plan/

⁷⁷ https://www.government.se/information-material/2022/05/non-paper-by-bulgaria-croatia-the-czech-republic-denmark-estonia-finland-latvia-lithuania-malta-poland-romania-slovenia-and-sweden/

institutional issues.'⁷⁸ Germany, Belgium, Italy, Luxembourg, the Netherlands, and Spain issued a joint letter of their own, calling CoFoE a "special opportunity" to develop the EU, while opening up for Treaty change, noting: "We remain in principle open to necessary treaty changes that are jointly defined", however qualifying this that the European Commission should differentiate between changes that can be implemented quickly and those that would require treaty change.⁷⁹

Some EU member states made a u-turn. The Irish government was against Treaty change, but at the end of May, Ireland should be open to the idea of EU Treaty change, Irish Taoiseach Micheál Martin stated. He added he had spoken to the leaders of the other Coalition parties and "all three leaders are clear that we have to open to potential treaty change". Ireland's position is important when it comes to this topic, as Treaty change would require a referendum in the country, which already voted twice against EU Treaty change, in referendums in 2001⁸⁰ and 2008. Every time, the population was asked to vote again, after which they voted "yes".

An EU diplomat involved with the CoFoE process issued a damning indictment about the CoFoE process, speaking privately:

"The purpose of the Conference was to engage citizens in a broad debate on the future of Europe. Unfortunately throughout the entire process, the European Parliament has instrumentalized the conference to pursue their institutional interests, for example having final say on the budget, the legislative right of initiative, the Spitzenkandidaten process. (...) We have not heard ordinary European citizens demand such institutional changes. They care about concrete political results."81

3. The European Parliament

On its turn, the European Parliament passed a resolution on 4 May backing changing EU treaties to implement CoFoE proposals. The resolution "is asking the Committee on Constitutional Affairs to prepare proposals to reform the EU Treaties, which would happen through a Convention in line with Article 48 of the Treaty on European Union."82

Renew Europe MEP Sandro Gozi, president of the Union of European Federalists (UEF) openly revealed the strategy, stating it was key "to exploit the full political potential of this unprecedented Conference", adding that "the speeches by Costa and Von der Leyen were very cautious, especially on the possible objectives to be taken as a follow-up to the conference, for example on the revision of the treaties. We need to create a strong pressure from below. We will ask to participate in the

⁷⁸ https://www.politico.eu/article/eu-treaty-change-not-a-taboo-says-german-chancellor-scholz/

⁷⁹ https://www.politico.eu/newsletter/brussels-playbook/treaty-change-not-dead-yet-the-eus-military-play-a-look-inside-brussels-renewables-plan/

⁸⁰ https://www.refcom.ie/previous-referendums/nice-treaty-2001/

⁸¹ https://www.politico.eu/newsletter/brussels-playbook/brussels-playbook-all-eyes-on-strasbourg-sanctions-latest-sefco-brexit-warning/

⁸² https://www.europarl.europa.eu/news/en/press-room/20220429IPR28227/treaty-review-necessary-to-implement-conference-proposals-parliament-declares https://www.euractiv.com/section/future-eu/news/meps-support-treaty-changes-to-reform-eu/

conference as NGOs: it's a tough battle, but we have all the requirements to ask for it".83

In the European Parliament there was also clear dissent, amongst others from Polish ECR MEP Jacek Saryusz-Wolski, who argued84:

"Despite the high hopes, CoFoE proved to be an EU's Potemkin village that serves the interests of the centralised federalist project and epitomises the EU's flaws and malpractices".

His ECR colleague Charlie Weimers commented85:

"The conference's final document is now being used to issue demands for the abolition of veto powers on foreign affairs matters, and to legitimise other demands that will undermine Swedish self-determination. When the European Parliament voted on demands for treaty change after the final document was presented, only the Green Party and the Liberals supported the demand. However, as the European Parliament has a clear centralist majority, the demand was passed with 454 votes in favour and only 170 votes against.

In the coming years, the final document of the Future Conference will be used to legitimise demands to transfer more power from the Member States to the institutions in Brussels. Unfortunately, it is likely that many of the wordings in the final document will develop into concrete proposals over time. However, there is still quite a lot of resistance to the Future Conference's proposals among the Member States' governments, and the Swedish government has been quite clear that many of the proposals are not desirable. One EU issue that the Moderates, Christian Democrats and Sweden Democrats should be able to agree on during the Swedish election campaign would be to reject all of the Future Conference's proposals."

4. Public opinion

Given the low amount of interest in CoFoE, not much polling has been done to figure out what ordinary citizens think of this initiative, which has been conducted in their name.

One opinion poll was however conducted in the Netherlands, where a majority appears to be against the recommendations coming out of CoFoE. The findings of the I&O poll⁸⁶ are the following:

- "- Over 63% of the Dutch population think that the EU should not be able to collect taxes directly.
- Only 21% are in favour of further transferring national powers to the European Union, while no less than 43% are opposed to this.

⁸³ https://realconferenceonfuture.eu/2021/05/27/moves-to-use-cofoe-as-a-vehicle-for-treaty-change-areunder-way/

⁸⁴ https://www.euractiv.com/section/future-eu/news/meps-support-treaty-changes-to-reform-eu/

⁸⁵ https://konservativdebatt.se/eu-s-framtidskonferens-ett-kostsamt-spel-for-galleriet/

⁸⁶ Commissioned by Dutch political party JA21 (ECR) https://www.brusselsreport.eu/2022/05/03/cofoeconcludes-amidst-ecr-walkout/

- 55% of the Dutch population finds that the Netherlands itself should be able to determine from which countries it admits asylum seekers from outside the EU, only 23% finds that the EU should be able to determine this.
- 52% do not want the Netherlands to be obliged to financially assist EU member states with an excessive national debt as (...) only a tiny part, 17%, supports this."

Conclusion

The main conclusion of this paper⁸⁷ to draw from the Conference on the Future of Europe is that it should not enjoy any legitimacy to serve as the basis for political action. Perhaps it made sense to embark on this kind of exercise, but then the implementation should have been quite a bit different. The choice of "experts" involved in the process should not have been excessively biased. The process to pick the citizens involved in it should have been much more transparent. Also the process to filter out the conclusions or recommendations deserves much to be wished for.

In particular, the idea that this initiative would in any way justify changing the EU Treaties in order to introduce reforms that have been copy pasted EU-federalist manifestoes is deeply troubling. Concentrating even more power at the central EU policy level is not something that is supported by any of the 27 democratically elected governments of EU member states. Perhaps French President Macron comes closest to that idea, but in the first round of the 2022 French Presidential election, up to 60 percent of the electorate voted for anti-establishment candidates from various stripes that nevertheless had one thing in common: profound opposition against greater transfers of powers to the EU level.

In that respect, it is also useful to remind previous rounds of EU Treaty change. Precisely due to the ardent opposition in various EU member states, this turned out to be a tortuous process. Not less than three EU member states – France, the Netherlands and Ireland – voted in referendums in 2005 and 2008 against the European Constitution or its repackaged variety, the Lisbon Treaty. Only repackaging the original proposal or making voters go to the ballot box again – as happened in the case of Ireland in 2009 – could ultimately deliver the Treaty changes desired by establishment politicians. It is true that they are deeply convinced of the need to concentrate power, but it is fair to say that almost always when they ask the public to have a say on this precise question, the public responds with a resounding "no".

The most outrageous proposals coming out of CoFoE range from comparatively modest ambitions, like greater EU control over taxation and wage negotiations, to outright extremist attempts, like EU control over the public debate or an EU army. Harmonising electoral law sounds more moderate, but ultimately, it should be fundamentally questioned whether organizing elections is a matter the EU's 27 democracies should trust a supranational policy level with. In the near future, this will be one of the great priorities for the EU federalists to advance. Those caring for national democracy should be vigilant and firmly resist the implementation of this agenda.

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⁸⁷ This Research paper has been provided to the European Parliament