

POLICY BRIEF



Future of Democracy | 05.2018

The Reform of the European Citizens' Initiative: Not for the Youth?

Brussels wants to improve the European citizens' initiative.

The Parliament, Commission and Council agree on many – but not all – points.

Of all issues, lowering the age required to participate from 18 to 16 is opposed by some EU member states.

The European Union likes to talk about a “Europe of the citizens.” However, it is having trouble getting citizens directly involved in politics. For this reason, reforming the European citizens' initiative (ECI) is a good and important idea. The ongoing revision negotiations show that the Parliament, Commission and Council want to improve the citizens' initiative. It is supposed to become easier to use and to have a more tangible impact.

There is a lot of consensus, but not on all matters. To prevent the reform from withering into just a mini-reform, at least the changes jointly envisaged by the Parliament and the Commission should be implemented. The revision of the citizens' initiative must succeed. Otherwise, there is a risk that citizens will use it less and less often – and that it will ultimately become obsolete.

This is one of the reasons why the Commission has proposed lowering the minimum age required

to support a citizens' initiative from 18 to 16.

This proposal enjoys the backing of the European Parliament and multiple civil society actors. It may seem like a small step, but it has the potential to have a substantial impact. Yet there is resistance in the Council. Evidently, this is already too much for some EU member states.

Nevertheless, those who want to make the EU more citizen-friendly and to counter frustration with the EU should especially get more young people involved. Younger EU citizens are enthusiastic supporters of the EU. On the other hand, the turnout for European elections of voters in this age group is falling dramatically. Opening European citizens' initiatives to citizens beginning at the age of 16 offers several opportunities. It makes the participation instrument more attractive, and it grants the younger generation an initial “gateway” opportunity to participate in EU policies.

A One-of-a-Kind Instrument of Democracy

The European citizens' initiative is a very young participation instrument in the EU – the world's first transnational instrument of participatory democracy. It is a hybrid of deliberative elements and direct-democratic procedures – which makes it unique and therefore hard to classify.

Article 11 (4) of the Treaty of Lisbon stipulates that: “Not less than one million citizens who are nationals of a significant number of Member States may take the initiative of inviting the European Commission, within the framework of its powers, to submit any appropriate proposal on matters where citizens consider that a legal act of the Union is required for the purpose of implementing the Treaties.”

There are also some formal hurdles to overcome. High quorums, strict regulations, the method of collecting signatures – all of this is reminiscent of direct-democratic procedures. However, the Commission's legislative monopoly is not restricted. Granted, the Commission is obligated to issue an opinion and to justify its decision. But in its decision, it is not bound by the results of the citizens' initiative. Unlike purely direct-democratic instruments, though, the Commission and the Council are in constant dialogue with the organizers. This is reminiscent of consultative and dialogue-oriented participation processes.

Thus, the European citizens' initiative plays a special role in the EU's participation framework: It is neither a petition nor a referendum. Instead, it is a pure agenda-setting initiative. By providing the opportunity to launch legislative initiatives, it is meant to enable

EU citizens to place issues on the EU's policy agenda. It aims to increase citizens' participation in the democratic life of the EU, and it wants to foster more and wider debates about issues raised by citizens.

However, when it comes to political mobilization, agenda-setting and generating public awareness, the European citizens' initiative has only been able to achieve this to a limited extent in the past.

More Sorrow Than Joy? Where the ECI Stands Today

In any case, the ECI's track record to date is mixed, if not modest. Many of the original enthusiasts have grown disenchanted. Of course, nine million citizens have supported one or more ECIs with their signatures. Nevertheless, just four of the 51 initiatives registered so far have managed to collect the one million signatures required. The Commission has admittedly responded to all successful ECIs and addressed some issues. But, to date, not a single citizens' initiative has been directly transposed into a legislative act.

The ECI also enjoys hardly any public awareness. According to a media resonance analysis, the ECI receives almost no mention in the national print and online media in many EU countries. Between 2011 and 2017, it was only mentioned a combined total of 516 times in 14 countries and 84 media sources. That corresponds to just under one article on the ECI per year and media source. There is roughly 500 times as much reporting on the Commission as on the ECI. Almost nine times more is even written about the EU's apparent democratic deficit than about the ECI.

This is also due to the instrument's complexity and lack of impact. Ideally, an ECI leads to a legislative proposal. But the hurdles are high for an ECI to be successful. First of all, the Commission can decide for itself whether or not an ECI can be registered. If rejected, the organizers' only recourse is the European Court of Justice. On top of that, collecting one million signatures from seven (or, currently, 1/4) of the EU's member states represents a major feat. The ultimate fate of any ECI is largely in the hands of the European Commission. Many ECI initiators are frustrated (see Policy Brief 02.2018 “More Initiative for Europe's Citizens”), and there are few signs that citizens' initiatives are sparking a reinvigoration of European democracy.

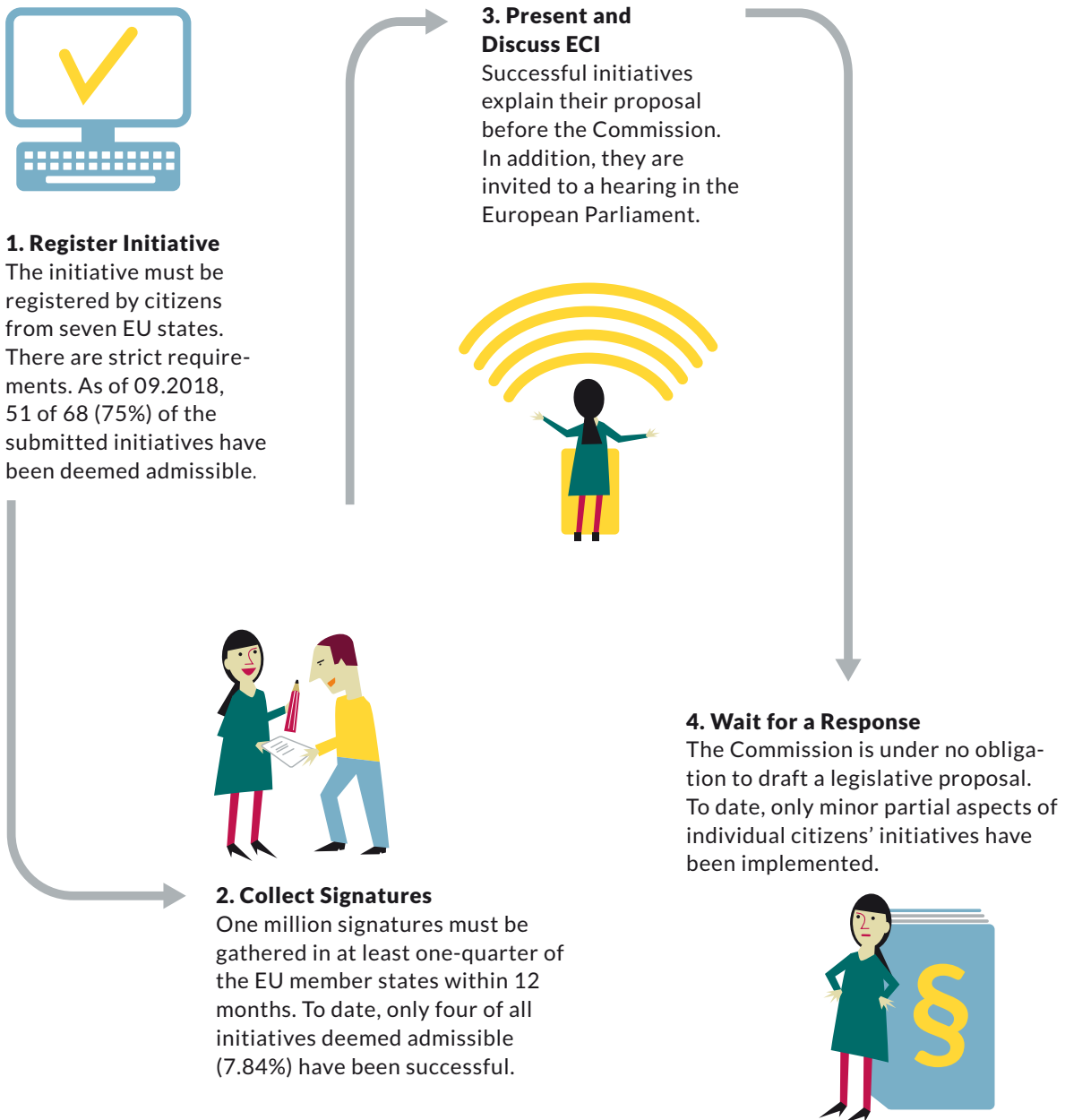
Sources:

The media resonance analysis for the ECI was carried out for the 2011-2017 period. The analysis looked at 14 EU member states. For more information, please see our Policy Brief 02.2018: “More Initiative for Europe's Citizens” and the corresponding factsheet “Facts, Figures, Analyses: Ten Things to Know about the European Citizens' Initiative.”

In an open letter to the European Parliament (EP), more than 70 NGOs have called for the EP to assume a stronger role in the follow-up process of an ECI: https://img1.wsimg.com/blobby/go/bb9b9a10-e672-4695-8ddf-228b109f0aec/downloads/1cffbbltv_291053.pdf

More on how lowering the voting age can effect early political participation can be found in: Robert Vehrkamp, Niklas Im Winkel and Laura Konzelmann (2015): Wählen ab 16. Ein Beitrag zur nachhaltigen Steigerung der Wahlbeteiligung.

AT A GLANCE: HOW THE ECI HAS WORKED SO FAR



Source: The European Citizens' Initiative. Official register.

Europe and the ECI – Are Becoming More Citizen-friendly

The Juncker Commission has set itself the goal of bringing Europe closer to its citizens. In fact, there are more Citizens' Dialogues (organised by

DG Comm) than ever and innovative new formats are being tested, such as the first European Citizens' Panel. But it is also clear that if the European citizens' initiative is actually supposed to become an influential participation instrument, it has to be reformed.

The Commission has four goals for its reform:

- 1) The participation of citizens should be increased.
- 2) The use of the instrument should be eased for organizers and citizens.
- 3) Administrative burdens should be eliminated or at least reduced.
- 4) The European citizens' initiative should become more attractive.

A more detailed analysis of the reform proposals (see Policy Brief 02.2018 "More Initiative for Europe's Citizens") shows that the Commission hopes for more successful initiatives, in particular by making the ECI easier to use. There is no doubt that the citizens' initiative has so far been too complicated as an instrument for participation. That will certainly change. But it remains an open question whether the long-term attractiveness of the instrument and the participation of citizens can be increased, thereby meeting two out of the four reform goals. And, more than anything, the European citizens' initiative will only be rewarded with legitimacy once it becomes clear that EU bureaucrats and politicians are taking the concerns of citizens seriously. This includes implementing proposals every now and then, even if perhaps only partially. In practice, this hasn't happened yet or only to a very minor extent.

The Commission's proposal, which has been largely met with consensus, eliminates many administrative hurdles. Anyone wishing to carry out a citizens' initiative in the future will have an easier time doing so. Many of the points of criticism that have long been voiced, especially by civil society, are being eliminated.

The reform process has also triggered activity in the Parliament, which has always considered itself to be the biggest advocate of the ECI. It plans to amend its rules of procedure so that successful initiatives automatically lead to a parliamentary debate. In this way, individual initiatives will automatically enjoy broader public awareness. They will move more into the focus of political discussions.

But the Parliament, Commission and Council are not agreed on all points. Indeed, opinions differ on one key issue.

One Last Point of Disagreement: Voting from the Age of 16

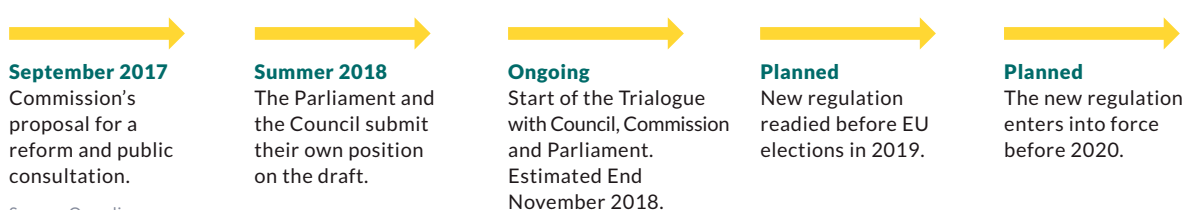
The Parliament, the Commission and the Council are currently negotiating the details of the ECI reform in the informal trialogue. Many of the technical changes can be executed quickly. But lowering the minimum age required to support an ECI from 18 to 16 – which was proposed by the Commission and enjoys the support of the Parliament – has been met with resistance in the Council.

Lowering the minimum age still appears to be a key reform priority for the Commission and the European Parliament. However, some EU member states are emphatically arguing in favor of maintaining the current minimum age of 18.

Two opposing argumentations can be seen here: For the Commission and the Parliament, the paramount goals are boosting youth participation, making the ECI more attractive, and raising its public profile. The Council, on the other hand, is arguing in more formalistic terms. The text of the ECI regulation states: "In order to be eligible to support a proposed citizens' initiative, signatories shall be citizens of the Union and shall be of the age to be entitled to vote in elections to the European Parliament." The Council is using this formal coupling of minimum age and voting age as a reason for insisting on the age requirement of 18.

In this context, the potential impact on European legislative acts resulting from an ECI has been used as an argument for maintaining this coupling. This potential effect, some have argued, would make the ECI something more like an election than a right open to everyone, such as the right to appeal to ombudsmen.

SCHEDULE FOR THE REFORM OF THE EUROPEAN CITIZENS' INITIATIVE



Source: Own diagram.

In this case, there appears to be a fear that lowering the minimum age required to support an ECI will also put the voting age in jeopardy. This fear is heightened by the fact that many actors on the European level and in the member states are convinced that citizens should be allowed to vote for EU elections at 16. Indeed, the Parliament has been calling for years for the voting age for elections to the European Parliament to be lowered to 16.

This problem is not merely some minor detail in the context of the overall reform of the ECI. On the contrary, the conflict shows that the EU is still failing to sufficiently exploit its opportunity for broad and comprehensive participation by its citizens. In the long run, excluding younger citizens from participation will lead to more political and EU abstinence.

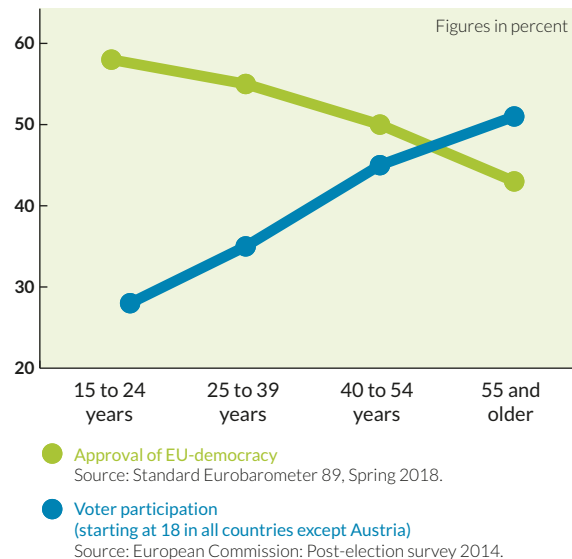
Voting for the ECI Beginning at 16: An Opportunity for the EU

For its survival, the EU is even more dependent on the approval of its citizens than its member states are. The EU is not a given, and its democratic legitimacy must be constantly re-justified and re-engendered. This is the only way it can remain a model of success in times of growing populism and budding nationalism.

The EU enjoys broad support, especially among the younger generation. In no other age group is the approval of the EU as high as in the group of 15- to 24-year-olds. It is 15 percentage points higher than in the 55+ age group. This is heartening – but, at the same time, it cannot be assumed that these levels of support will remain so high on their own.

What's more, there is a flip side. The picture of voter turnout for EU parliamentary elections is almost the mirror image. Voter turnout in the older age groups is sometimes almost twice as high as in the group of 18- to 24-year-olds, as Eurobarometer figures show. It was similar with the Brexit vote, as the majority of young Britons were to be found in the "Remain" camp. According to surveys conducted by "The Guardian" newspaper, 18- to 24-year-olds voted for "Remain" almost twice as often as the 65+ generation did. However, they also often chose not to vote at all. "The Guardian's" analysis shows that only 36 percent of young

THE EU AND ITS YOUTH HIGH APPROVAL BUT LOW VOTER PARTICIPATION



Britons voted, whereas the vast majority – 83 percent – of citizens aged 65 and over voted.

Overall, one can say that the EU's high level of support among the younger generation does not automatically translate into participation in political elections. There are also mundane and less political reasons for this. At the age of 18, other things – such as having one's first apartment, training or studying for a career, or having one's first serious relationship – are often more important than getting involved in politics via traditional channels.

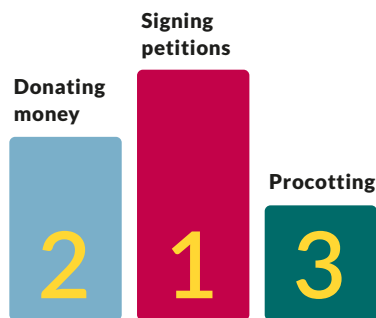
This makes it all the more important for the EU to address this challenge. An initial step in this direction can be reforming the European citizens' initiative and lowering the age required to participate in it from 18 to 16.

Clear, Digital and Without Hurdles: The ECI is a Good Match for Young EU Citizens

Organizing a European citizens' initiative is admittedly complicated and associated with high bureaucratic hurdles. However, supporting an initiative is relatively simple – and it will be made even simpler by the improvements envisaged in the Commission proposal.

In this way, the ECI will precisely fit the preferred participation patterns of younger EU citizens. They are participating less and less via traditional

ONLINE INITIATIVES ARE TRENDY TOP 3 FORMS OF PARTICIPATION AMONG EU YOUTHS



Interviewed were young people in the UK, France, Spain, Poland, Hungary and Finland.
Source: Cammaerts et al. (2015): Youth Participation in Democratic Life: Stories of Hope and Disillusion, p. 119.

long-term forms of political participation, such as political parties or associations. But this doesn't mean they are apolitical. Instead, they become active at certain times and on certain issues. This works perfectly for the European citizens' initiative. It can be accessed online, and it gives younger citizens a chance to make a selective commitment to a policy measure that they view as important.

Surveys in EU member states indicate that online petitions currently enjoy a high level of support among younger citizens. They were asked about their preferred use of different methods of participation – from actively buying products to support them (procotting) to demonstrating, making donations or volunteering. The (online) petition always ended up on top of the list. The latest edition of the Shell Youth Study shows that young people in Germany use petitions and signature lists as a form of participation ten times as often as membership in a political group or party – and almost twice as often as taking part in a demonstration. The European citizens' initiative is an ideal, low-threshold (gateway) participation instrument, especially for the younger generation.

Figures Show: Young Citizens Are Already Supporting the ECI

The ECI isn't only a good fit for the participation behavior of the younger generation; it is also mainly supported by younger individuals. The Commission's

March 2018 review of the ECI clearly shows that its core – the group of organizers – is especially made up of by younger citizens. This group contains an above-average share of people 30 years old and younger.

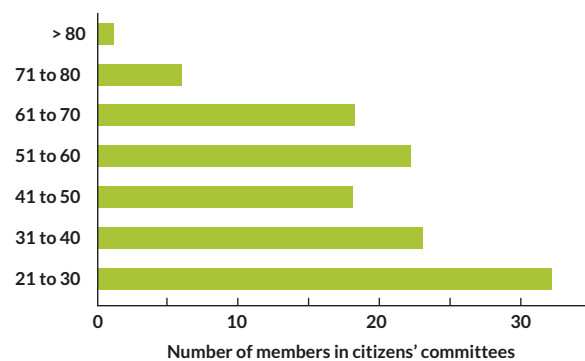
That is a big commitment. The citizens' committee is the official organizer of an ECI and responsible for the entire initiative. The members of the citizens' committee speak on behalf of the entire ECI. They are the link to the European Commission. Already today, the ECI is attractive to many younger citizens.

Early Political Activation Pays Off

As a general rule, political interest leads to more political participation. But this correlation also applies in reverse: Having a right to participate engenders interest in politics. What's more, anyone who has ever participated in politics is more likely to do so again. For the EU, this could mean that participation in a European citizens' initiative might also lead to an increased interest in European politics on the whole and in elections to the European Parliament.

THE ECI IS MAINLY AN INSTRUMENT FOR YOUNG PEOPLE

AGE OF THE ORGANIZERS AT THE TIME OF REGISTERING AN ECI SINCE APRIL 2015



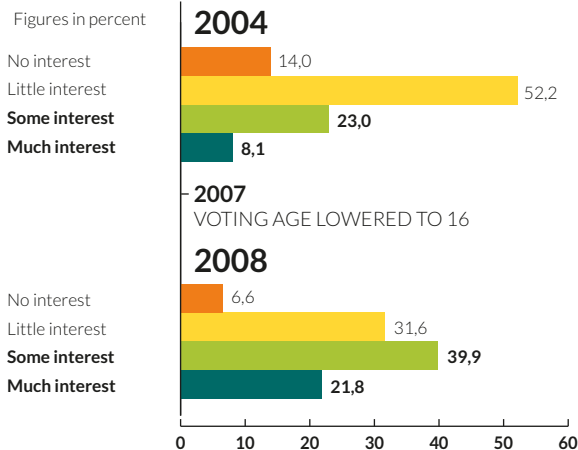
Source: Report on the application of Regulation (EU) No. 211/2011 on the citizens' initiative, Brussels – 28.3.2018.

Experiences with “voting from 16” in Austria show that those interested in politics vote more often than those less interested in politics – and, moreover, that having a right to vote and participate in elections also gives rise to and strengthens one's interest in politics.

Austria lowered its voting age to 16 in 2007. This led nearly to a tripling of the proportion of first-time voters under the age of 18 with a strong interest in

PARTICIPATION LEADS TO MORE INTEREST IN POLITICS

INTEREST IN POLITICS AMONG YOUNG PEOPLE IN AUSTRIA BEFORE VOTING AGE WAS LOWERED TO 16



Source: Zeglovits and Zandonella 2013.

politics. At the same time, it became evident that having the option to participate in an election already starting from the age of 16 was one of the factors that contributed to a decline in the proportion of people not interested in politics. Previously, two-thirds of all young people had either little or no interest in politics. However, this proportion dropped below 40 percent after they were given the option to participate. At the same time, the share of young people interested in politics has almost doubled, from a bit over one-third to almost two-thirds.

The example of Austria shows that having the option to participate turns passive observers into active participants. Participating subsequently gives rise to and fosters one's own interest and engagement. This is something the EU can learn from.

No Election, but Participation: A Gateway to Political Participation

In the text of the ECI regulation, the minimum age required to support an ECI is linked to the right to vote in elections to the European Parliament. There is no reason the link has to be made, as comparing voting rights with participating in an ECI is misleading. The European citizens' initiative is not a pure petition, i.e., something that everyone is entitled to, and its importance is not comparable to that of

parliamentary elections or a genuine right of initiative. Neither the Commission, nor the Parliament, nor the Council is obliged to make decisions.

Another argument is based on the principle of equal treatment. It is understandable that two countries would set different minimum ages for the right to vote. For example, beginning at the age of 16, citizens have been able to vote in federal elections in Austria since 2007 and in Malta since 2018. In all other EU countries, the right to vote in elections for the European Parliament starts at the age of 18. In this case, it goes without saying that member states are free to choose whichever regulation they prefer. And that's a good thing. However, when it comes to participation in a European participation instrument that specifically aims to foster cross-border networking, having different regulations thwarts the European idea. After all, why should a 16-year-old in the Czech Republic not be allowed to take part in initiatives on the future of Europe when his Austrian peers just a few kilometers away are allowed to do so?

"We need to ensure we hear young people's voices from every corner of our Union. I want [...] further strengthen the link between the EU and young people through inclusive and digital means of dialogue. I also want us to better focus our priorities and actions, and better connect young people across Europe and beyond."

Commissioner Tibor Navracsics on the new EU Youth Strategy. Brussels, March 21, 2018

The ECI is a one-of-a-kind instrument of democracy. It is a low-threshold, non-binding form of participation that can put an issue on the political agenda. This is where its strengths lie, and these strengths should be fostered. It does not have the clout of citizen lawmaking, nor should one dismiss it as a purely online petition. The heart of the ECI is to generate public awareness of and dialogue on a specific issue. Much argues in favor of opening this dialogue to people who are not yet allowed to vote. In doing so, in addition to generating broader dialogue, the ECI would also stimulate interest in politics and political participation.

The EU and Young People: Big in Words But Little Action

“Union action shall be aimed at [...] encouraging the participation of young people in democratic life in Europe.”
(Article 165, Treaty on the Functioning of the EU)

The EU has recognized that it must strengthen the younger generation’s enthusiasm about and engagement with Europe. It wants to encourage young people to participate in the democratic process. The EU member states are publicly committed to making it possible for all young people to participate more fully in democratic and civic life in Europe. The Commission has set even more ambitious targets for the future: Its new Youth Strategy aims to bring the EU and its young citizens closer together. Young EU citizens should have it easier bringing issues that are important to them into the political debate. They are to be encouraged to participate actively in the democratic life of the EU. Thus, there is no shortage of noble words and strategy papers. Bringing the EU and its citizens closer together, facilitating active participation in the democratic process by putting issues on the EU’s

agenda, and encouraging public debate – these are precisely the three goals of the European citizens’ initiative. By reforming the European citizens’ initiative and lowering the age required to participate in it from 18 to 16, strategies can now be filled with concrete content.

And After the Reform?

Once the Council, Commission and Parliament agree on a common line in the trilogue, the reform of the ECI will largely be complete. And that’s a good thing. The new ECI will be an improvement for everyone who wants to carry out a citizens’ initiative. But the reform of the European citizens’ initiative can and should be the beginning of a process of reflecting more intensively on how Europe’s citizens can become more involved in EU policies. In the end, there could even be a new “architecture of participation” with innovative forms and instruments of participation that have already become reality in some member states. All EU citizens – including young ones – should be able to have a say. Allowing citizens to participate in ECIs beginning at the age of 16 would be a first step in this direction.

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Further reading:

Basile Ridard (2018): The European Citizens’ Initiative: A Sufficient tool to bring Europe closer to its citizens? Brussels.

Salm, Christian (2018): The added value of the European Citizens’ Initiative (ECI), and its revision. Brussels and Berlin.

Dominik Hierlemann and Christian Huesmann (2018): Policy Brief 02.2018: “More Initiative for Europe’s Citizens” and the

corresponding factsheet “Facts, Figures, Analyses: Ten Things to Know about the European Citizens’ Initiative.” Gütersloh.

Robert Vehrkamp, Niklas Im Winkel and Laura Konzelmann (2015): Wählen ab 16. Ein Beitrag zur nachhaltigen Steigerung der Wahlbeteiligung. Gütersloh.

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The policy brief of the Bertelsmann Stiftung’s “Future of Democracy” program is dealing with current topics and challenges related to democracy. It concentrates on the issues of political participation, the future of parties and parliaments, the sustainability of democratic politics as well as new forms of direct democracy and citizens’ participation. It is published 6–8 times per year on an unfixed basis.