

# EUROPE, LISTEN AND RESPOND

---

## ENHANCING THE EUROPEAN COMMISSION'S ONLINE PUBLIC CONSULTATION TOOL

EUROPAEUM SCHOLARSHIP PROGRAMME – COHORT JANUARY 2018 / NOVEMBER 2019

Bernard Bernards · Felix Biermann · Jennifer García Carrizo · Timothy Glover

Daniel Golebiowski · Gerard Llorens · Giulia Raimondo

November 2019

# EUROPE, LISTEN AND RESPOND

## THE BIG PICTURE

The recent history of the European Union is a story of increasing public distrust, dissatisfaction, and disengagement from EU institutions. The Euro and migration crises have compounded public discontent with EU policy results and processes. In the Brexit campaign, terms like ‘sovereignty’ and ‘take back control’ highlighted the perception that EU institutions do not adequately represent the public. Many believe the EU is run by technocratic elites who form policies without heeding to citizens’ perspectives, and that ‘Brussels is only talking to Brussels’.

To restore public trust in EU institutions, citizens must be involved in the policymaking process. One avenue is public consultation. Public consultation enables citizens to voice their opinions on proposed policy and increases their trust in democratic processes. It obliges EU institutions to be transparent and accountable regarding how public opinion influences policy and incorporate diverse views in the decision-making. Furthermore, online public consultation, at low cost and with low barriers to access, makes citizen engagement more efficient and inclusive.

## THE PROBLEM

The European Commission currently conducts public consultations through an online tool. More than 200,000 EU citizens participated in these European Public Consultations (EPCs) in the last three years but 80% of them never went back to the platform. Major shortcomings undermine the effectiveness of this promising tool. One urgent area for improvement is feedback to citizens. In a recent survey, the European Commission found that:

**“Nearly 40% of the respondents... were (very) dissatisfied with the way the Commission reports on the result of its public consultations and**

**feedback and what it does with this information” (Taking Stock of the Commission’s Better Regulation Agenda, 2019, p. 18).**

Inadequate feedback to citizens means that the potential of the tool – its capacity to demonstrate the EU’s commitment to transparency, accountability, and public participation – is unrealized. Furthermore, as it currently stands, ineffective public consultation risks eroding trust even further. If participants feel that their opinions have not been addressed, there is a risk of decreased legitimacy and engagement – the exact opposite of what consultation should achieve.

## OUR RESPONSE

With this in mind, we conducted a comparative study of public consultation mechanisms at regional and national level across the EU. By analyzing these case studies, we identified good practices with regard to providing feedback to citizens that are already at work within EU member states, in order to produce policy recommendations for the improvement of the supranational public consultation tool. Our analysis adopted a multidisciplinary approach, drawing on insights from political science, public administration, sociology, law, and communication science. The full policy paper can be read in the supporting materials presented with this document.



## OUR RECOMMENDATIONS

### Good feedback should be...

#### 1) Institutionally-supported

We suggest that European public consultations should be better institutionalized and embedded in the decision-making process of EU institutions. Therefore, we suggest:

- The creation of an Office for European Public Consultations. This could offer a supervisory body for European public consultations, or for exchanging good practices.
- The negotiation of a European Union Directive on EPCs. This would improve accountability by establishing a direct connection with the European ombudsperson.

#### 2) Personalized

The European Commission is obliged to provide feedback to citizens and has identified that better individualized feedback as an area for improvement. Our case studies show that successful examples of personalized feedback for public consultations came at a high cost. Thus, we point out that technology provides the opportunity to automatize individual responses, and we suggest that technology should be used to provide semi-personalized feedback that directly addresses participants' choices.

#### 3) Timely

There is a trade-off between rapid feedback and quality response. The Commission commits to provide feedback within four weeks. Our case studies show no consensus on what constitutes timely feedback but raise several solutions to the problem of providing both high-quality and time-efficient feedback, such as externalising the process. We therefore recommend that the Commission should reformulate a maximum period within which feedback should be provided, and consider alternative methods for providing high-quality feedback quickly.

#### 4) Sustained

Participants in EPCs rarely return. Our case studies show several policies designed to encourage repeated engagement. Given these, we suggest that sustained contact should be engaging and thus trigger further participation. For illustration:

- Multimedia aids such as videos can make feedback more accessible;
- Future consultations can be sent to participants with relevant interests, but they decide the frequency to maintain goodwill and avoid 'consultation fatigue'.

## CONCLUSION

Implementing our recommendations may increase administrative costs. Thus, our overarching recommendation is to prioritize the quality of consultations over quantity and focus on continuous engagement with the citizens. As it currently stands, ineffective consultation risks producing further disenfranchisement and disconnection from EU institutions. Good feedback could tip the balance from disengagement to engagement.

