

Action Plan for the implementation of Articles 11(1) and 11(2) of the Treaty on European Union

*Towards better EU civil dialogue and involvement of citizens for better policy-making
building on the Riga Roadmap*

Article 11(1) and 11(2) of the Treaty on EU

- "1. The institutions shall, by appropriate means, give citizens and representative associations the opportunity to make known and publicly exchange their views in all areas of Union action.*
- 2. The institutions shall maintain an open, transparent and regular dialogue with representative associations and civil society."*

1. INTRODUCTION

1.1. Purpose

This action plan is intended as a follow-up to the relevant Roadmap adopted by the NGO Forum in Riga in 2015, outlining the concrete actions needed for the implementation of better civil dialogue¹ in the EU and the involvement of citizens and their associations. It reflects citizens' calls for better decisions, better policy making and better governance responding to citizens' needs.

The action plan sets out a vision of what the dialogue should seek to achieve and how it could be implemented in an effective, constructive and realistic manner with the widest range of supporters and stakeholders. It lays the groundwork for civil dialogue in which representative civil society organisations play a key role while, at the same time, the full potential of citizens, directly involved or not with CSOs, is harnessed. In this respect, "a distinction should be drawn between consultations of civil society organisations and of the general public. The difference between the two is not only a matter of methodology, but also of objective, since for the former group the aim is to ensure representativeness, while for the latter, it is about promoting inclusion and participation"².

1.2. Current context

Article 11 of the Treaty on European Union provides the legal basis for this. EU institutions, Member States and civil society³ — including but not limited to individuals and representative associations — must work together to put Article 11 into practice. Civil society organisations (CSOs) play a crucial role in promoting active citizenship in Europe. Participatory democracy needs intermediary bodies if it is to involve the citizens and encourage them to express their views in all civic spaces. Civil dialogue has

¹ The European Economic and Social Committee defines civil dialogue as a democratic and public opinion-forming process which can take various forms, depending on the players involved.

² EESC Opinion on *Evaluation of consultation of stakeholders by the European Commission*, [OJ C 383, 17.11.2015, p. 58](#).

³ In accordance with the [Council of Europe Committee of Ministers' Recommendation 14 \(2007\)](#) civil society organisations are defined as "voluntary self-governing bodies or organisations established to pursue the essentially non-profit-making objectives of their founders or members. They do not include political parties."

the potential to extend and strengthen the European model of democracy and is a key tool in securing ownership, completion and modernisation of the model.

A political and legal framework should be put in place at European and Member States (MS) level to nurture the development of civil society in Europe, whose activities are an integral part of EU values anchored in fundamental rights. However, the reality is very different as the civic space in some EU Member States is increasingly shrinking, becoming thereby the most dangerous factor for the functioning of CSOs and for European democracy. A robust, independent, diversified and well-functioning organised civil society needs adequate public and private financing which also has a bearing on granting the various stakeholders in European civil society dialogue a role and status of their own, adding up to the needed recognition to counteract the shrinking civic space noted in some Member States⁴. Therefore, special attention has to be paid to an adequate financial strength of CSOs serving the public good as they are central to fostering the conjunction between social capital and economic development, account for resilience of the communities and thus for the internal security of Member States and the European Union as a whole.

2. KEY FEATURES OF CIVIL DIALOGUE

Multi-level

Civil dialogue reaches out to, involves and includes individuals and organised civil society at all levels — local, regional, Member States and European.

Open, transparent and inclusive

Civil dialogue supplements direct participation methods; citizens, organised in civil society structures representing their interests, will be able to participate in and contribute to civil dialogue at the level that best suits them. Digital tools such as e-platforms and other new-tech approaches should be used for collaboration along with traditional ones.

Building on existing dialogues, consultations and participation

Civil dialogue gives an overarching structure to existing dialogues, as well as those yet to be developed, between EU institutions and organised civil society focusing on particular themes. While consultation as a vital component of civil dialogue is a top-down process open in theory to all CSOs and citizens, participation is a bottom-up-process as opportunity for CSO to intervene formally and actively in the collective decision-making process.

Towards better policy-making

Civil dialogue is a process for exchanging expertise and connecting with innovation in grassroots citizens' organisations. It is a space for identifying and reflecting and building on the values, principles and objectives of the European project, creating a European public sphere by closing the gap between policymakers and citizens and also harnessing the potential for direct participation by citizens. It will lead to better policy development for the common good which is closer to citizens' needs and expectations, generating a greater sense of common ownership. The role of civil dialogue is crucial in the drafting of legislation, as it allows the impact of the legislation on the citizens to be assessed.

Joint actions on agreed EU priorities

Civil dialogue is a place for civil society and the EU institutions to cooperate and build joint projects for better implementation of EU policies, contributing to better understanding amongst citizens of the

⁴ EESC Opinion on *Financing of Civil Society Organisations by the EU*, OJ C 2017?, to be completed,

added value of the European Union and evaluating the impact that policies have on civil society and citizens. The value of cross-sector and cross-thematic initiatives should be borne in mind.

European integration through civil society

Civil dialogue is an opportunity to create links between the citizens themselves, organised civil society and their policymakers from across the EU. It can lead to EU-wide cooperation, exchange and projects for change that encourage the development of stronger ownership and a stronger sense of European identity and for these reasons should be fully taken into account in the current and subsequent MFFs.

3. PROPOSED ACTIONS

The action plan outlines **three levels** of dialogue reflecting Article 11 (1) and (2):

3.1. Horizontal dialogue between citizens and representative associations as opportunities to make known and publicly exchange views in all areas of Union action (Local, Regional, Member States and EU Dialogues) (Article 11(1))

Structure

All citizens, engaged in and with organised civil society to represent their interests and values, or as individuals, will be able to express their view, exchange opinions and access civil dialogue at the level that suits them best – be that local, regional, Member States or EU level. These dialogues should be self-organised by the citizens and their representative associations/civil society organisations, in existing or innovative formats, with the support of the relevant public authority, thus getting as close to the citizens as possible and helping to reduce feelings of isolation and distance from policy development and policy-making that has such a huge impact in their lives and that of their fellow citizens.

The format, agenda and topics for discussion would be decided by the citizens and their representative associations/civil society organisations, embracing new forms of engagement and participation. The outcomes would feed into the Member States and EU-level dialogue process.

Proposed actions building on NGO networks, councils, initiatives by organised civil society and grassroots movements, national Conventions such as the proposal from the French President in 2017:

Actions	Partners
1. Relevant public authorities should establish an encouraging environment to facilitate civil dialogue at EU, Member States and sub-Member States levels.	Public authorities from different levels, Member State European Affairs Departments, Economic and Social Councils (where existing), civil society platforms, grassroots movements.
2. The potential of digital participation should be tapped. e.g. by launching an EU participation 2.0 Strategy to enable the exchange of promising examples between all levels (local, regional, Member States and European), set up the objectives and envisage the steps for the creation of a digital system for citizens' engagement .	Public authorities from different levels, Member State European Affairs Departments, Economic and Social Councils (where existing), civil society platforms, grassroots movements.

3. Based on the Charter of Fundamental Rights and by recognising the Freedom of Association, promote participation in decision-making by regularly monitoring the existing situation, reporting on it and spreading best practice.	Public authorities from different levels, Economic and Social Councils (where existing), civil society platforms,
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3.2 Vertical dialogue between *national institutions* and representative associations and civil society (Article 11(2))

Structure

Although Member States traditions and legal frameworks differ considerably, EU decisions are, to a large extent, prepared by Member States-level departments and have the greatest impact at Member States, regional and local levels. Treaties are binding upon Member States and joint commitments and aims (such as the Europe 2020 Strategy) cannot be achieved without broad ownership and participation by the citizens. The thematic dialogues that often already exist at Member States level need better EU recognition and support measures so that they can be extended to other Member States. Member States dialogues should form part of the debate in the annual EU dialogue.

Proposed actions building on existing dialogues on EU issues at Member States level e.g. health, youth, sport, trade etc. EYC 2013 Citizens' Dialogues (adapted and restructured):

Actions	Partners
4. Continue to gather information about existing successful dialogues at Member States level building on the work undertaken by Civil Society Europe (CSE).	CSO representatives involved in the dialogues (also via Economic and Social Councils or other Member States-level structures (where existing))
5. Consultation with stakeholders from sectors and fields with need for improvement regarding regular dialogue	CSO representatives, European Commission, national governments
6. A recommendation from the Council to establish Member States dialogues across the Member States,	European Council
7. Establish mechanisms for exchanging and disseminating good practices	CSOs, European Commission
8. Introduce quality assurance standards, criteria and guidelines for participation	CSOs, Member States, European Commission
9. Promote civic education on common European values and mechanisms.	Member States
10. Establish open consultation processes (both offline and online) on EU topics	EU Presidencies
11. Annual report on civil dialogue developments in Member States	Future European Observatory of Civil Society

12. Appropriate means to finance civil dialogue and to strengthen the capacity of CSOs to take part	Member States
13. Revision of its instruments/programmes to support CSOs operating in the field of participation, democracy and rule of law at Member States level	European Commission
14. Include citizen participation/democracy among the horizontal priorities of its programmes	European Commission
15. Strengthen EU Citizens' Dialogues across EU Member States	Member States, European Commission, CSOs, European Parliament

3.3 Vertical dialogue between *EU institutions* and representative associations and civil society (Article 11(2))

Structure

Appropriate regular and structured dialogue forums to link every EU institution with civil society while creating synergies between the institutions where possible. Existing best practice should be extended and strengthened to ensure effective impact on policy-making. Among other tools, this would include a yearly event bringing together EU institutions represented at the highest levels and organised civil society as well as representatives from sectoral dialogues and local, regional, national and macro-regional (transnational and neighbourhood policy) dialogues.

Such yearly event seem to be the EESC's Civil Society Days (CivSocDays) with workshops and thematic meetings feeding into a comprehensive closing session and a final joint declaration or annual work plan to be forwarded to all the EU institutions, which would all be required to issue a formal reaction. The CivSocDays should be developed along the lines of the Committee of the Regions' Open Days with parallel events in Brussels and in the Member States.

Proposed actions building on the European Economic and Social Committee Liaison Group with CSOs, EESC Civil Society Days and the informal EPSCO meetings which since 2000 have integrated a wider involvement of civil society through consultation – at the same level as the social partners – ahead of decision-making at the formal EPSCO meetings:

Actions	Partners
16. Identify, extend and strengthen existing best practice and make the changes in EU decision-making resulting from civic engagement visible. Policy areas with improvement potential should be identified and a mechanism supporting and coordinating these actions and existing dialogues should be set up.	European Economic and Social Committee, European Commission, European Parliament and European Council, Committee of the Regions
17. In-depth evaluations of relevant Commission-funded pilot projects (like Europe for Citizens) .	European Commission, European Parliament
18. Develop improved strategies that clearly harness so-called “participatory processes” such	CSOs

as crowdsourcing for policy ideas, etc.to regular decision-making processes involved elected representatives.	
19. Establish a Statute for European Associations together with a statute or policy framework for European institutional philanthropy. This would promote recognition of CSOs and cooperation between them at European level, complementing the European Company Statute adopted in 2004.	European Commission, European Parliament and European Council
20. Establish a European Observatory of Civil Society to measure and monitor civil dialogue and levels of citizen engagement with the EU institutions and the decision-making and policy-making processes. Building on the work of Civil Society Europe, it should adopt a yearly report on the state of civil dialogue and of civil society in general in all Member States.	European Economic and Social Committee and its Liaison Group
21. Entrust without delay a specific Commissioner responsible for coordinating civil dialogue and allocate the relevant human resources to be able to implement it. Each DG should have an official who is responsible for dialogue and appropriate finances for supporting participation in decision-making.	European Commission
22. Establish a constructive dialogue and follow-up between the different directorates-general and CSOs for the purpose of assessing good and bad practice and developing a more consistent approach.	European Commission, European Economic and Social Committee
23. Establish a specific unit and a political position in the European Parliament , such as a Vice-President, as required by the EU treaties, as well as specific official responsible for civil dialogue with the European Parliament.	European Parliament
24. Agree appropriate and sustainable funding opportunities from EU sources in the next MFFs	European Commission, Council and Parliament
25. Encourage Member States to introduce tax incentives for private donations and institutional philanthropy and remove obstacles to cross-border donations and philanthropic funding by coordinating tax laws and procedures, and invest in philanthropy across the EU.	European Commission, Council and Parliament
26. Recognise and establish partnerships with organised civil society bodies ⁵ , thereby creating the conditions for a	EU institutions

⁵ some Member States have adopted "charters of reciprocal commitment" or "pacts" to this end

structured European civil dialogue and implementing Article 11 of the TEU and other relevant intergovernmental commitments ⁶ .	
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⁶ EESC Opinion SOC/563