

ENNA Position Paper

*Civic Participation in Governance
Seeking Common Ground in Europe*



Draft prepared by Dr Frank Heuberger

ENNA Position Paper – Civic Participation in Governance, Seeking Common Ground in Europe:

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Who we are

The European Network of National Civil Society Associations (ENNA) was founded in Belgium in 2011, following a series of successful transnational projects led by its founding members. The young network brings together national associations, platforms, umbrella, and civil society support structures spread across 18 European countries that are members of the European Union (EU), or the European Economic Agreement (EEA) area, or are applying to the EU.

ENNA's mission is to support our members to develop their activities and better support their own grassroots members by influencing favourably the environment in which they work. Each civil society organisation (CSO) operates in an environment which is affected by legal and policy frameworks set by government, funding realities influenced by a number of revenue sources, and societal expectations about the role CSOs play in contributing to society.

ENNA's role is to ensure that at the European level, a supportive environment is created by EU laws and funding, and that best practice and initiatives are better disseminated. To be able to influence the complex machine that is Europe, our members have chosen to cooperate so that a common perspective and joint strategies can be developed. Consequently, one of our core missions is to support our members in reaching a common voice, so that our shared experiences and views can better inform EU decision-makers. This common voice is expressed through our position papers.

Scope of the position paper

This position paper sets out our views on the role civic participation in governance, arguing strongly in favour of greater involvement of CSOs and citizens in direct democracy, making us of 21st century technologies to enable more direct democracy.

Our position paper underscores the need for government, business, and civil society to work together in order to overcome the greatest challenges facing Europe, and indeed humanity.

Our paper outlines our support of the Five Principles of Good Governance as the basis upon which civic participation can be successfully instigated to secure strong civic participation in governance.

Our paper underlines how ENNA considers Article 11 of the Treaty of Lisbon as both a starting point and a golden opportunity to ensure that more civic participation exists at the EU-level governance in particular, and also underscores the importance of CSOs owning the opportunity and defining clearly its own views on how Article 11 needs to be interpreted and applied to encourage more participation in governance.

ENNA Supports the Five Principles of Good Governance

None of the big challenges we face today - the consequences of globalization, individualism, social exclusion, the widening gap between rich and poor, the demographic change, migration/integration and others - will be properly addressed or solved without an appropriate cooperation between the three sectors of society - state/government, business and civil society.

To achieve the goal of a sustainable, cross-sector partnership with new roles and responsibilities, each sector has to acknowledge the assets and values of the other and has to accept the fact that none of the mentioned challenges can be tackled through the logic of action of one sector alone. The three sectors have to work together in governance, collaborating for the sake of serving the common good.

The term "Governance" and especially "Good Governance" made a tremendous career within the last fifteen years and its applications and implications are as wide spread as its various definitions. However, there are some principles that are more or less accepted within the scientific community and among activists using the concept stemming from the UNDP (United Nations Development Programme).

Five Principles of Good Governance

1. Legitimacy and Voice

Participation - all men and women should have a voice in decision-making, either directly or through legitimate intermediate institutions that represent their intention. Such broad participation is built on freedom of association and speech, as well as capacities to participate constructively.

Consensus orientation - good governance mediates differing interests to reach a broad consensus on what is in the best interest of the group and, where possible, on policies and procedures.

2. Direction

Strategic vision - leaders and the public have a broad and long-term perspective on good governance and human development, along with a sense of what is needed for such development. There is also an understanding of the historical, cultural and social complexities in which that perspective is grounded.

3. Performance

Responsiveness - institutions and processes try to serve all stakeholders. Effectiveness and efficiency - processes and institutions produce results that meet needs while making the best use of resources.

A parallel initiative bringing together university and vocational skills providers as the supplier and civil society organisations as the demander should be put into place so as to create mass-market skills development offer for aspiring CSO professionals.

4. Accountability

Accountability - decision-makers in government, the private sector and civil society organizations are accountable to the public, as well as to institutional stakeholders. This accountability differs depending on the organizations and whether the decision is internal or external.

Transparency - transparency is built on the free flow of information. Processes, institutions and information are directly accessible to those concerned with them, and enough information is provided to understand and monitor them.

5. Fairness

Equity - all men and women have opportunities to improve or maintain their well-being. Rule of Law - legal frameworks should be fair and enforced impartially, particularly the laws on human rights (Institute on Governance 2003).

Article 11 of the Treaty of Lisbon is a starting point for debate

It is ENNA's aim to follow these principles of governance in all its politics. ENNA will respond to consultations issued by the European Commission in order to highlight the position of ENNA's members with regard to key initiatives such as civic participation in governance.

With the Lisbon Treaty (2009) the European Commission breaks new grounds to include and engage national Civil Societies and European citizens in its decision-making processes (Civil Dialogue, AGORA, „Europe for Citizens“, European Citizens Initiative) showing an advanced understanding of democracy. Representative democracy is enriched by implementing direct-democratic elements and multiple possibilities of participation and cooperation at local, state and European level.

Article 11 of the Lisbon Treaty introduces these new possibilities of participation, but its vagueness needs extensive discussion and clarification.

The prospects of Article 11 of the Lisbon Treaty:

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.
3. The European Commission shall carry out broad consultations with parties concerned in order to ensure the Union's actions are coherent and transparent.

4. 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.

The procedures and conditions required for such a citizens' initiative shall be determined in accordance with the first paragraph of Article 24 of the Treaty on the Functioning of the European Union.

Paragraph (1) states initially the possibility that "citizens" and "representative associations" are given the opportunity to participate. Participation here means: exchange of views in all areas of Union action by appropriate means. Not clear is the meaning of "appropriate means"; clear is that the exchange of views in all areas of Union action has to be consistent with the European treaties and need to fall into the authority of the European Commission.

Paragraph (2) speaks of an "open", "transparent", and "regular" dialogue between the institutions of the EU and representative associations and civil society. This has to be clarified. Open may mean: unbiased as to the result, content is not pre-determined, there is a right of free access; transparent may mean: transparent of interest, transparent in resources, transparent in procedures and transparent in results; regular may mean: a continuous dialogue.

Equally important is the meaning of "dialogue" itself. Will it meet the requirements of a deliberative process, or is dialogue simply the exchange of information in the form of an on-line and off-line consultation?

The institutions of the EU, i.e. Commission, Parliament and Council of Ministers, shall maintain the dialogue with "representative associations" and "civil society". How is "representative associations" defined? A quantitative selection would not necessarily meet the qualitative and relevant aspects of CSOs and their concerns of common welfare. Unclear is also the differentiation between "representative associations" and "civil society". What sets them apart?

Paragraph (3) demands broad consultations with "parties concerned" in order to ensure the Union's actions are coherent and transparent. In each case it has to be determined who the "parties concerned" are and who decides it. Are they different from the parties mentioned in paragraph 1?

The European Citizens' Initiative (Paragraph 4) is the only paragraph of Article 11 that received strict interpretation even by consulting all governments of the Member States (see: REGULATION (EU) No 211/2011 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 16 February 2011 on the citizens' initiative).

CSOs have to seize the opportunity to define Art. 11 for themselves



European Network of National
Civil Society Associations

It is ENNAs understanding that it is of biggest interest for the national organized CSOs and their European networks to take the chances of Article 11 seriously and spell out their understanding of what the participatory potentials of its content are. This only will provide a common and stable ground for an honest dialogue between the parties under concern and it will give Civil Society across Europe a strong voice for its members and the citizens they represent.