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**NOTE**

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From:	Presidency
To:	Delegations
Subject:	Conference on the Future of Europe – Follow-up: Preliminary synthesis report on the Presidency questionnaire

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Delegations will find attached a revised preliminary synthesis report on the Presidency questionnaire on the Conference on the Future of Europe.

**Preliminary synthesis report  
on the Presidency questionnaire on the Conference on the Future of Europe**

As part of the follow-up to the Conference on the Future of Europe, on 27 July 2022, the Presidency circulated to delegations a questionnaire<sup>1</sup> on the Conference on the Future of Europe aimed to allow delegations to share their initial views on the three following questions:

1. *What is your opinion on following up to the Conference by means of convening a Convention according to Art. 48 (2) TEU during the current Presidency term?*
2. *For which legal bases identified in Annex of this questionnaire could you envisage using the passerelle clauses to switch from unanimity to qualified majority voting in the Council?*
3. *How could opportunities for the involvement of Citizens be broadened?*

The present document provides a preliminary synthesis of delegations' responses received to each of these three questions.

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<sup>1</sup> Cf. WK 10759/2022

1. What is your opinion on following up to the Conference by means of convening a Convention according to Art. 48 (2) TEU during the current Presidency term?

The vast majority of delegations consider that, at this stage, priority should be given to those proposals and initiatives that can be implemented through all the possibilities offered by the current Treaty framework. In this perspective, many delegations point out that most proposals arising from the Conference can be implemented under the current Treaties, including by using their untapped potential and the flexibilities they provide for. Some of them stressed that Treaty change should not be considered an end in itself or that the convening of a possible Convention for examining proposals for amendments of the Treaties should be based on a large consensus between EU institutions and Member States.

Therefore, most delegations consider that, before engaging in the process of Treaty revision, more time is needed for a structured and comprehensive assessment, or view such decision as premature.

Nonetheless, a significant number of delegations are open, or not opposed, to consider Treaty change at a later stage under new circumstances or certain conditions. Some delegations in particular express their openness to institutional reform in case those would be deemed truly beneficial to citizens, or necessary for the functioning of the EU and in particular for the reinforcement of the EU's capacity to act. Further, several delegations call for an incremental and structured approach with sufficient time for a thorough examination and joint definition of the changes that could be brought to the Treaties. Several delegations advocate for a careful identification of the provisions that could be concerned, for instance through an inclusive consultation process, as well as for a rigorous and consensual framing of such a process, for instance through a prior interinstitutional agreement to be reached with the European Parliament and the European Commission.

A number of delegations are reluctant to various extents to Treaty revision, considering the risks entailed by a process they often describe as lengthy, complex and diverting energies from key initiatives, in particular in view of the current context. A few delegations mention the need to preserve the EU's institutional balance, the fact that a successful conclusion is not guaranteed or question the added-value of such a process.

Several delegations link a possible Treaty revision to the debate on or the prospect of future enlargement(s) of the EU, in particular concerning the modalities of functioning of the EU.

2. For which legal bases identified in Annex of this questionnaire could you envisage using the passerelle clauses to switch from unanimity to qualified majority voting in the Council?

Due to the highly politically sensitive nature of this question, several delegations indicate that they would need additional time to reply to this question, with some referring to the need for thorough consideration, internal consultations or an impact assessment. In this regard, some delegations have provided partial replies and mentioned that they intend to complement their reply at a later stage. Some have started an exhaustive reflection work in order to analyse the legal bases identified in the questionnaire as well as the implications that such an evolution of the decision-making process would imply. The synthesis of the replies below can therefore not be considered as complete or exhaustive.

Delegations' views expressed so far are contrasted. Views differ - as a question of principle - on the possible use of passerelles clauses to switch from unanimity to qualified majority voting in the Council.

On the one side, several delegations are in favour, open, or willing to consider using the passerelle clauses to switch from unanimity to qualified majority voting in the Council in certain sectors, when necessary, to strengthen the EU's capacity to act, internally and at the international level. Some of them underline that the extension of qualified majority voting in the Council would facilitate the adoption of acts needed for the efficiency of EU action and the achievement of its objectives, under the current Treaty framework. On the other side, other delegations consider that the extension of qualified majority voting could be detrimental to some Member States and undermine the unity of the EU and therefore consider that a consensual approach among Member States should be prioritised. A delegation suggests to explore constructive abstention and enhanced cooperation instead.

The importance to have an in-depth exchange on mechanisms that allow for key national interests and concerns to be taken into account in the decision-making process is underlined by a delegation.

Concerning delegations in favour, open, or willing to consider the use of passerelle clauses to switch from unanimity to qualified majority voting in the Council, the policy areas highlighted vary. Several delegations are in favour, open, or willing to consider using the passerelle clauses in particular in the Common Foreign and Security Policy (CFSP) in order to allow more effective decision-making in this policy area. Several areas of CFSP where the switch to qualified majority could be examined have been mentioned by delegations, in particular sanctions, human rights, decisions under articles 28 and 29 TEU, the organisation of the EEAS, Common Security and Defence Policy (CSDP) civilian missions including international agreements in this area. Support is also expressed by a number of delegations for taxation, energy policy and non-discrimination matters. A few delegations could support the use of the passerelle clause for the adoption of the Multiannual Financial Framework or its application within an enhanced cooperation. Other specific policy areas under consideration relate to the internal market and competition with regards to state aid, environment, economic and monetary, justice and home affairs, and trade. Finally, some delegations support a step-by-step and pragmatic approach, focusing on the areas or subareas where the needs are the highest and/or where there are realistic chances of making progress, such as CFSP.

However, other delegations have reservations or advocate to maintain unanimity, in some areas such as CFSP, CSDP, taxation, economic and social policies and the adoption of the Multiannual Financial Framework.

The need to remain careful about potential changes which would interfere with the institutional balance was also raised by a few delegations, with a delegation being opposed to the use of passerelle clauses in the institutional field.

Many delegations underline that more in-depth discussions and further work based on thorough analyses are needed to explore the possibilities under the Treaties.

### 3. How could opportunities for the involvement of Citizens be broadened?

In their replies, delegations broadly express their support for initiatives to improve citizens' participation and engagement in the EU and national decision-making processes, either through existing tools or through new initiatives recently announced by the Commission. The importance of better communicating with citizens, and especially with young people, is also highlighted to bring the EU closer to them, and to ensure greater visibility and participation to citizens' consultations and other such initiatives. A few examples are mentioned, for instance frequent forums between citizens and the EU institutions, including the Council; initiatives with the support of the Commission's Representations in the Member States; or awareness-raising activities in schools. In this context, another aspect to take into account is the need to strike a balance between the complexity of the EU's decision-making processes and the better involvement of and communication towards the citizens.

In particular, a number of delegations express their support for the Commission's initiative to organise Citizens' Panels ahead of key proposals, or for the greater use of European Citizens' Panels on key subjects and specific, well-defined issues, with randomly selected citizens' recommendations feeding into the institutions' work.

Next to this view, several delegations point to the (equal) need to strengthen or extend the use of existing tools, such as Commission consultations and the European Citizens' Initiative, which should also be given greater visibility. The importance of developing new methods and forms of citizens' participation, with user-friendly tools such as digital solutions allowing for quick interactions, is also raised by several delegations, for instance to ensure a broader citizens' participation in the consultation process on Commission White Papers. A delegation highlights the importance of further developing citizens' consultations focused on EU policies having a direct impact on citizens' lives and which could contribute to a "European Public Sphere". However, the usefulness of institutionalising processes such as the Conference on the Future of Europe is also questioned by a couple of delegations.

A number of delegations are in favour of maintaining the Conference's Multilingual digital platform in the future, also to foster exchanges between citizens. Several also welcome the Commission's new platform "Have your say!" as a one-stop shop for providing information on online citizens' engagement and consultations, and refer to the need to raise citizens' awareness about this tool. Regular reports of citizens' contributions on this platform is suggested by a delegation. In addition, more interactive EU websites, and an increased and improved use of social media, is highlighted by a delegation.

Several delegations also underline the importance of existing processes of consultation of citizens and of different stakeholders in the national decision-making process, including to define positions on EU matters at national level, as a contribution to the democratic legitimacy of the EU decision-making process.

The importance of increasing transparency in the EU decision-making process is also referred to by a few delegations as a means to better involve citizens. This also includes improving communication of the Eur-Lex platform and regularly updating its content.

In addition, for some delegations, more information and guidance from the EU institutions, and exchanges of best practices, including among Member States, would be welcomed in order to further improve the involvement of citizens.

Finally, several delegations reiterate their support for the upcoming feedback event on the follow-up on the Conference proposals, to inform citizens about the steps taken by the institutions in this regard. A delegation also indicates that an additional event could take place one year after the closing event of the Conference.