

# **Strengthening Communication Channels Between the EU and EU Citizens: An Audience-Centric Approach**



***-Trabajo de Fin de Máster-***

**Autor/a: Víctor Villanueva Ferrer**  
**Tutor/a: Ana García Juanatey**

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## **Abbreviation List**

AER	Assembly of European Regions
CONNECCS	The Consultation, the European Commission and Civil Society
DG COMM	Directorate-General for Communication
DG X	Directorate-General for Press and Information
EaP	Eastern Partnership
ECI	European Citizens' Initiative
ECSC	European Coal and Steel Community
EDC	European Documentation Centres
EDICs	Europe Direct Information Centres
EEC	European Economic Community
ENP	European Neighbourhood Policy
EU	European Union
ICTs	Information and Communication Technologies
IMP	The Interactive Policy-Making Initiative
MEPs	Members of the European Parliament
PR	Public Relations
TEU	Treaty on European Union
TFEU	Treaty on the Functioning of the European Union

## Introduction

“Who do I call if I want to call Europe?”. This is the famous question that was once attributed to the former US Secretary of State Henry Kissinger. This remark sarcastically captures a latent communication issue between Europe and the rest of the international actors. José Manuel Barroso, former President of the European Commission, once vaguely addressed this issue, stating that the EU was not one single country: “We are not the United States, we are not China, we are not Russia and we do not want to be... we are a union of states, so by definition our system is more complex”, Barroso said. Kissinger’s never answered question can be linked with the Red Phone. The so-called Moscow-Washington hotline provided direct contact between leaders of the United States and Russia. This “line” was established as a communication system that worked as a mechanism for the prevention of tensions and subsequent nuclear wars. Kissinger’s question put on the table the existence of communication gaps between state actors and the EU. However, the present paper aims at pointing out the fact that this limitation does not end at the institutional level because it also involves European citizens.

The acknowledgement of communication gaps between the European Union and its citizens plays a pivotal role in the present essay. However, what is a communication gap? It is commonly understood that a communication gap or communication deficit occurs when the message intended by the sender is not properly understood by the recipient. The present paper elaborates on this definition and presents literature proving the existence of an array of communication gaps between the EU and the European citizens.

Wutz<sup>1</sup> outlines the possible causes of the communication gaps. Firstly, communications between the EU and EU citizens depend on national journalists who mainly communicate with their national politicians. Every piece of news is filtered by this national lens which undermines EU-EU citizens relations. Secondly, direct communication between Brussels and its citizens is still a challenge since there is a clash between a rational and technical conception of what the EU is and a much more emotionally driven insight of the citizens. EU citizens would also feel more connected to the EU if the EU legal language was to be simplified. However, the EU is struggling to find a way to turn this into reality. Finally, digital, and technological change is still a challenge for the EU. Communication and democracy are closely linked and there is still a lot of work to do to turn social media communications into a useful, easy, and direct communication channel<sup>2</sup>.

The main aim of this paper is to propose a specific course of action to close these communication gaps: the bottom-up approach to communications. There are two main ways of approaching the field of communications: the top-down approach and the bottom-up approach. On the one hand, the top-down approach to communications is generally refused by the literature as it is presented as an outdated communication strategy in which citizens’ views are perceived as second-class opinions. On the other hand, the bottom-up approach or audience-centric approach to communications is widely accepted by the authors as the best communicative strategy to close the

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<sup>1</sup> “Why is Europe having trouble communicating with its citizens? | COFACE”, *COFACE Families Europe*, 2020, Retrieved January 27, 2021, from <http://www.coface-eu.org/europe/why-is-europe-having-trouble-connecting-with-its-citizens/>.

<sup>2</sup> *Ibid.*

communication gaps between the EU and its citizens. This is the case because this approach involves the establishment of proactive communicative dialogues with recurrent feedback from both parties. The literature considers these proactive dialogues to be essential to close communication gaps. In sum, the audience-centric approach to communications is put forward as the best communicative tool to fill communication gaps.

It appears that there is a connection between the audience-centric approach to communications and European primary law. The present paper examines this link with the legal framework of the EU and analyses the references to democratic participations in EU treaties.

Opening a dialogue on public sector communication is important because this sector is usually blamed for its excessive bureaucracy, slowness, inefficiency, and corruption. These perceptions worsened the relationship between the EU and its citizens. EU citizens are now used to the fast pace system of private firms, thanks to which they receive goods and services almost instantly and anywhere. For instance, Amazon is currently able to provide one to two-day delivery of goods. According to the literature, these new services provided by private companies set high standards which are impossible to be met by the public administration. Such quick responses are not feasible in public institutions as bureaucracy burdens any chances to provide instant feedback to citizens' demands. As Canel & Luoma-aho<sup>7</sup> puts it, the EU is unable to keep up with the new expectations of public sector organisations. The public sector is still unable to establish a communication mechanism between citizens and the EU as sturdy as the technologically empowered private firms. Private firms have given voice to the public eye and now receive constant and live feedback to improve, change or evolve their products by actively listening to their clients' demands<sup>8</sup>.

The democratic gaps of the EU seem to be one of the reasons behind the recurrent low participation rate of the European Parliament elections. Although the 2019 European Parliament election yielded its highest participation (50.66%) in the last 25 years, the levels of participation of national and European parliamentary elections is still noteworthy. Democratic participation is ultimately undermined when an array of EU citizens does not vote. This directly affects the legitimacy of the institution as well as the accountability of its actions as an international organisation<sup>9</sup>.

The present paper suggests that an efficient EU communication strategy could lead to a change in the public eye's perception of the public sector. The EU needs to fill this gap and connect with its citizens since they are the reason for the EU to exist. Article 42 of the Charter of Fundamental Rights enriches citizens of the Union to access the documents of the institutions, bodies, offices, and agencies of the Union. However, not only should European citizens be able to access information about public bodies but also to interact proactively with EU institutions. If done well,

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<sup>7</sup> "What Is Changing in Public Sector Communication?", from *Public Sector Communication*, John Wiley & Sons, Inc., Hoboken, NJ, USA, 2018, Retrieved February 14, 2021, from <http://doi.wiley.com/10.1002/9781119135630.ch1>.

<sup>8</sup> *Ibid.*

<sup>9</sup> C. SCHÄFER, "Indifferent and Eurosceptic: The motivations of EU-only abstainers in the 2019 European Parliament election", *Politics*, 2021, SAGE Publications Inc., Retrieved March 14, 2021, from <http://journals.sagepub.com/doi/10.1177/0263395720981359>.

EU citizens could be fully informed of the work that the EU does on their behalf or even work hand in hand with the decision-making structure of the institution.

This essay defends the bottom-up model as the most convenient approach for European communications at the EU. This text is aimed at illustrating the reader with several aspects related to EU communications:

- The first section comprises a historical account to raise awareness about possible missteps taken by the European Commission during times of political hardship.
- The second section tackles the legal framework of the EU's communication strategy. This section unfolds a possible breach of the Treaty on European Union (TEU) during the second Barroso Commission. Moreover, the section raises the possibility of the audience-centric approach as the sole appropriate method to comply with the legal framework.
- The third section encompasses internal and external communication theory. The literature points towards the top-down approach on both internal and external approaches as the only feasible pathway towards complying with the legal framework of the EU's communication strategy.
- The fourth section deals with the European Citizens' Initiative (ECI) as a paradigmatic example of the European Commission's audience-centric approach to communications. It is concluded that the ECI is perceived as a proactive tool, an enabler for campaigns and debates yet it was still in a very early stage as it appears not to comply with the democratic provisions of the TEU.

## Theoretical Framework

Studying the European communications model is relevant for the politics and international relations fields since the communication strategy of a public institution directly affects the legitimacy, accountability, and democratic nature of the institution itself. A solid and effective communications model can contribute to avoiding losing its legitimacy in the public eye<sup>10</sup>. EU's communications have been politicised and instrumentalised to support political decisions. However, this attempt to instrumentalise communications harms the reputation of communications as an effective tool to strengthen public accountability. Communications cannot solve issues such as bureaucracy, slowness, inefficiency, or corruption.<sup>11</sup>

The establishment of two-way communication channels between the EU and EU citizens can strengthen the EU in the public eye. Legitimacy in the eyes of those who ultimately pay for the existence of this Union is crucial for the accountability of the EU. Ultimately, the EU must be accountable both to the member states of the EU and to third party countries. Communications is often a challenging road for public institutions as they struggle to achieve citizen satisfaction.

The scope of this paper considers the EU and its citizens both as senders and recipients of information. The nature of the audience-centric model entails that sender and recipient are interchangeable roles. The reasoning behind this interchangeable nature is found in the theory of communications itself: the audience-centric approach to communications involves this two-way communicative channel in which both the sender and receiver must play both roles to comply with the fundamentals of a bottom-up approach. In other words, while on some occasions the EU is the recipient of the feedback provided by the European citizens, on other occasions the tables are turned. This is a natural consequence of the audience-centric approach, which is recurrently mentioned throughout the present paper.

Communication cannot solve economic, social, political or environmental problems but it can turn into a beacon for the promotion of identity, integration and democracy<sup>12</sup>. The origin of the word communication dates back to Old French *comunicacion* (14c., Modern French communication) and directly from Latin *communicationem* and means “to share; to make common; common, public, general”<sup>13</sup>.

This paper looks at both internal and external communications as an object of study. Internal communication is a strategic management tool that is proven useful for an organisation to act efficiently within its internal system<sup>14</sup>. There are many types of organisational structures and there

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<sup>10</sup> M.-J. CANEL; V. LUOMA-AHO, *Public Sector Communication*, John Wiley & Sons, Inc., Hoboken, NJ, USA, 2018, Retrieved March 20, 2021, from <http://doi.wiley.com/10.1002/9781119135630>.

<sup>11</sup> M.-J. CANEL; V. LUOMA-AHO, “What Is Changing in Public Sector Communication?”, cit.

<sup>12</sup> C. VALENTINI; G. NESTI, “Public Communication in the European Union: History, Perspectives and Challenges”, 2010, Retrieved 14 febrero 2021, en <https://books.google.es/books?id=b0AaBwAAQBAJ&printsec=frontcover#v=onepage&q&f=false>.

<sup>13</sup> ETYMONLINE.COM, “Etymology Dictionary”, 2021, Retrieved February 14, 2021, from <https://www.etymonline.com/search?q=communication>.

<sup>14</sup> DIRECTORATE-GENERAL FOR COMMUNICATION, *Communication Handbook for the EU Agencies*, 2013, Retrieved February 14, 2021, from <https://library.net/document/zxnp5jnpq-communication-handbook-for-the-eu-agencies.html>.



is no hierarchy in terms of which one is better than the other. However, each organisation must find the organisational culture that works to fulfil the aims of the institution itself. Internal communications do not stop at the internal structure of the institution since they have effects on external communications as well. This connection between internal communications and external communications is further explained in the present paper. As an introductory fact, data shows that fostering an organisational culture leads to improving public satisfaction and explains up to 28% of customer satisfaction<sup>15</sup>.

Public relations (PR) or external communications is the study of the communication gaps between an organisation and its targeted public. PR aims at enhancing the communication flow between the institution and its target audience. In the case of a public administration institution, PR focuses on citizens and stakeholders. Current PR theories emphasise the need to listen to the public interest by establishing bilateral communication channels in order to learn from the feedback received from the public interest. Any decision taken from the point of view of PR must respect public interest and act accordingly with the feedback provided<sup>16</sup>. According to Pocovnicu<sup>17</sup>, the main objectives of PR are the following:

Gaining the trust of the general public regarding the institution and the services provided; knowing and anticipating the expectations of the current and potential audience; stimulating the opinion leaders; engaging the audience through various activities, programmes and events; consolidating the relations with mass media, private institutions, agencies and NGOs; developing an institutional image within cultural environments; ensuring transparency for the institutions' actions towards a specific audience; complementing the weaknesses of other communication forms used by the public administration institution.

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The political problems of the EU sometimes intentionally clash with communicative strategy issues. This is only the case because the political institutions attempt to instrumentalise communicative tools for the benefit of political matters. This is a burden for EU communications since PR is not meant to solve political problems or to contribute to justify political actions. For instance, this was the case when a series of referenda took place in an array of Member States regarding the Constitutional Treaty. These referenda constituted a politicised and instrumentalised mean of communication as it was biasedly interpreted to favour the EU's interest. The *Joint Statement on the results of the referendum in the Netherlands on the Treaty establishing a Constitution for Europe*<sup>19</sup> claimed that the EU respected the choices made by the voters in both France and the Netherlands. However, the statement also conveyed that the EU was still convinced of the viability of the European Constitution<sup>20</sup>. This is a vivid example of how communicative tools such as referenda were being politicised and instrumentalised to support political decisions. In this

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<sup>15</sup> M.-J. CANEL; V. LUOMA-AHO, *Public Sect. Commun.*, cit.

<sup>16</sup> D. POCOVNICU, *Public Relations in Public Administration: Role and Management, in a Socio-Political Marketing Context*, 2014, Retrieved March 20, 2021, from <http://sceco.ub.ro>.

<sup>17</sup> *Ibid.*, p. 217.

<sup>18</sup> *Ibid.*

<sup>19</sup> EUROPEAN COMMISSION, *IP/05/653 Joint Statement of President of the European Parliament Josep Borrell Fontelles, President of the European Council Jean-Claude Juncker and President of the European Commission José Manuel Barroso on the results of the referendum in the Netherlands on the Treaty establishing a Constitution for Europe.*, 2005, Retrieved March 7, 2021, from [https://ec.europa.eu/commission/presscorner/detail/en/IP\\_05\\_653](https://ec.europa.eu/commission/presscorner/detail/en/IP_05_653).

<sup>20</sup> *Ibid.*

case, the referenda did not result favourable to what the UE wanted to accomplish. Therefore, the results of the referenda were ignored as the text of the Constitutional Treaty was brought back with the Lisbon Treaty.

The most pivotal concepts of the present paper are top-down and bottom-up communications. These are central in the discussion as this paper aims at urging for the top-down model as the best communicative strategy for the EU to fit their practices in such a volatile environment as the field of communications. While bottom-up communications, also known as audience-centric communications is preferred by many communication experts, top-down communications are usually refused by the authors. The concepts are the following:

- *External Top-down communications*: traditional and outdated communications strategy based on a purely hierarchical structure in which the institutions views play a pivotal role while the target audience is relegated and perceived as second-class opinions. This approach is unidirectional and purely informative where there is no room for conversation between the institution and the target audience.<sup>21</sup>
- *External Bottom-up communications*: Approach to communications consisting of building proactive communicative dialogues with the target audience which involves the establishment of the so-called bidirectional or two-way communicative channels to ensure inclusive participation. The audience plays an active role and establishes a communicative dialogue with the institution involving recurrent feedback.<sup>22</sup>

The EU adopted a top-down approach communication strategy from its birth until the 1970s. From the 1970s onwards, the EU is attempting to establish an audience-centric approach to communications as the literature suggests that it is the most effective method to connect with target audiences, in this case, EU citizens.

The EU currently leans towards this top-down, audience-centric strategy which allows for better bidirectional channels with EU citizens. Finding both the most suitable internal communications strategy and the appropriate external communications scheme is the ultimate objective that a public institution such as the EU should foster in order to excel at communications.

The hypothesis of the present paper is the following: The EU should opt for the enhancement and improvement of the already implemented audience-centric approach as it appears to be the most plausible course of action towards complying with the democratic provisions of the European primary law. The EU should discard any remnant and/or setback to top-bottom approaches.

Improving and promoting e-participating tools as well as reinforcing the integration process of the EU constitute the right course of action to strengthen liaisons between the EU and EU citizens. EU's communication strategy should remain audience-centric since it's proven to be the most effective strategy.

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<sup>21</sup> M.-J. CANEL; V. LUOMA-AHO, *Public Sect. Commun.*, cit.; V. LUOMA-AHO; M. CANEL, *The Handbook of Public Sector Communication*, Wiley, 2020.

<sup>22</sup> M.-J. CANEL; V. LUOMA-AHO, *Public Sect. Commun.*, cit.; V. LUOMA-AHO; M. CANEL, *Handb. Public Sect. Commun.*, cit.

Further enhancement of e-participation tools such as the Europe for Citizens Programme or Communicating Europe in Partnership is highly recommended throughout this paper. Additionally, further work on language policies and the simplification of EU texts should be promoted. Greater European integration would lower the feeling of detachment among EU citizens, usually materialised in political doctrines such as Euroscepticism and extremism.

## The Communication Gaps

The communication deficit is now playing a pivotal role in the EU and has turned into a binding institutional priority led by the strategic plans drafted by the Commission. Public communication is not a secondary sphere within the system of the EU but rather the cornerstone for its correct functioning. The present paper defends the idea that an audience-centric communication strategy plan would allow for greater interaction with EU citizens and the EU.

One of the EU's main aims is to make the EU's governing institutions more transparent and democratic to the public eye. In order to accomplish this goal, the EU's adopted a facilitator role between the decisions taken in Brussels and the EU citizens<sup>23</sup> and tackle the challenges of a globalized and rapid-changing world. EU citizens' increasing engagement with the EU is the result of the historical evolution of the approach to the communication strategy of the EU which went from a top-bottom approach to a bottom-up approach. In general terms, the EU's approach towards communications has evolved from a top-down approach in pre-Barroso periods towards the bottom-up approach embraced by Jean-Claude Juncker, former President of the European Commission and followed by Ursula von der Leyen, the current President of the European Commission<sup>24</sup>.

The European Parliament, the only elected body of the EU and the representation of EU citizens, has been provided with a greater role within the decision-making process of the institution. The Amsterdam Treaty extended the co-decision procedure by which legislation could be adopted at first reading if the Parliament and the Council agreed. Moreover, the Lisbon Treaty changed the name of the co-decision legislative procedure to ordinary legislative procedure and extended powers to almost all areas of EU law<sup>25</sup>. These treaties set the ground for the solid role of the Parliament in the decision-making structure of the EU.

Despite the rising representation of the Parliament, direct communication channels between the EU and EU citizens have been encouraged as a means to increase the legitimacy of the institution in the public eye. Many would argue that a lack of effective communication between Brussels and the EU population has resulted in a growing feeling of detachment. Such feeling of detachment represents a threat to European integration as it leads towards political doctrines such as Euroscepticism and extremism. Therefore, e-participation tools are seen as a means to tackle

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<sup>23</sup> EUROPA.EU, "The EU in brief | European Union", 2020, Retrieved January 24, 2021, from [https://europa.eu/european-union/about-eu/eu-in-brief\\_en](https://europa.eu/european-union/about-eu/eu-in-brief_en).

<sup>24</sup> C. VALENTINI; G. NESTI, "Public Communication in the European Union: History, Perspectives and Challenges ", cit.

<sup>25</sup> B. HIX, S HØYLAND, S. HIX y B. HØYLAND, "Legislative Politics", in S. HIX y B. HØYLAND, *The Political System of the European Union*, vol. 3rd ed., London, 2011.

that problem. E-participation tools are perceived as an alternative form of engagement for EU citizens to help the EU regain citizens' trust<sup>27</sup>. These tools help to narrow the democratic deficit and offers an alternative to the traditional view of politics<sup>28</sup>.

The “communication gaps” between the EU and its citizens have been a subject of discussion since the entry in force of the Maastricht Treaty in 1992. Communication started as one-way, institution-centred communication. There was a general feeling that there was much more work to be done since the EU's communication strategy focused on explaining what the EU does rather than listening to the voices of EU citizens. The White Paper on a European Communication Policy<sup>29</sup> of 2006 proposed a major shift in the EU's communication strategy from a top-bottom approach to a bottom-up approach. The one-way communication approach was criticised in the White Paper and a citizen-centred or audience-centred approach was proposed as a replacement for the former strategy. The White Paper emphasizes communication as a cornerstone for healthy democracy. It urges for an effective policy communication programme for the EU and outlines previous efforts to reinforce communication strategies such as reinforcing the Commission representation offices, improving internal coordination and creating more focal points for citizens. Moreover, it highlighted the need for a partnership approach to fulfil these efforts and called for the participation of a series of institutions: “the involvement of all the key players — the other EU institutions and bodies, the national, regional and local authorities in the Member States; European political parties; and the civil society”<sup>30</sup>.

The legal framework regarding the European communication strategy falls under art. 352 which deals with subsidiary powers of the EU. Due to the inexistence of a separate legal basis for communication policy in the Treaty on the Functioning of the European Union (TFEU), policies related to communications fall under Art. 352 which deals with subsidiary powers of the EU and includes contingency clauses. These clauses provide legal grounds to act accordingly to the objectives laid down by the treaties when the latter have provided neither the scope *ratione materiae* nor the necessary powers to achieve those objectives<sup>31</sup>. Moreover, the democratic provisions found under Title II of the TFEU enriches the legal framework of the communicative strategy of the EU. Other legal documents to bear in mind are the following: the Charter of Fundamental Rights of the European Union, which frames the need for communication as a common value of the EU; the articles of the TFEU regulating the European Citizens' Initiative<sup>32</sup>: article 11(4) of the TEU; article 24(1) of the TFEU; regulations (EU) No 211/2011 and 2019/788; rules 222 and 230 of Parliament's Rules of Procedures<sup>33</sup>.

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<sup>27</sup> LUC VAN DEN BRANDE, “Reaching Out to EU Citizens: A New Opportunity «About us, with us, for us»”, 2017.

<sup>28</sup> E. LIRONI, *Citizens' Rights and Constitutional Affairs Potential and Challenges of E-participation in the European Union Study*, 2016.

<sup>29</sup> E. COMMISSION, *White Paper on a European Communication Policy*, 2006, Retrieved January 25, 2021, from [http://www.esc.eu.int/stakeholders\\_forum/index\\_en.asp](http://www.esc.eu.int/stakeholders_forum/index_en.asp).

<sup>30</sup> *Ibid.*, p. 2.

<sup>31</sup> K. A. ISKRA, “Communication policy | Fact Sheets on the European Union | European Parliament”, 2020, Retrieved January 25, 2021, from <https://www.europarl.europa.eu/factsheets/en/sheet/144/communication-policy>.

<sup>32</sup> Please see section 4: European Citizens' Initiative

<sup>33</sup> A. DAVOLI, “European Citizens' Initiative | Fact Sheets on the European Union | European Parliament”, 2020, Retrieved March 12, 2021, from <https://www.europarl.europa.eu/factsheets/en/sheet/149/la-iniciativa-ciudadana-europea>.

Luc Van den Brande<sup>34</sup> introduces the idea of “nationalising the successes and Europeanising the failures of the EU”. This idea reflects the decreasing level of integration that authors such as Allen<sup>35</sup> pointed out and linked to an array of contrasting geopolitical positions or outlooks. The present paper advocates for further integration as a crucial process to create actual engagement between the EU and EU citizens.

Concerns regarding miscommunications such as fake news play a pivotal role in EU communications. Voices such as Hanna Arendt, a German American political theorist warned of the dangers of miscommunications which usually lower the level of trust of the audience<sup>38</sup>. In 2018, 83% of Europeans thought that fake news was a threat to democratic processes and 73% of internet users were concerned about misinformation online in the pre-election period<sup>39</sup>.

According to the Standard Eurobarometer from Autumn 2019<sup>40</sup>, more than four Europeans in ten tend to trust the EU (43%) and trust in the EU is nine percentage points higher than trust in national governments and trust in national parliaments (both 34%).

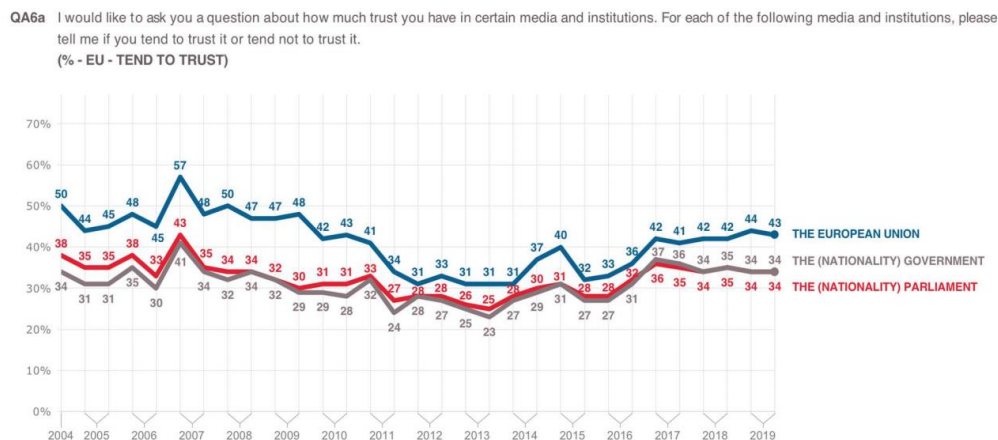


Figure 1: How much trust you have in certain media and institutions.<sup>41</sup>

<sup>34</sup> “Reaching Out to EU Citizens: A New Opportunity «About us, with us, for us»”, cit.

<sup>35</sup> “The Common Foreign and Security Policy”, from E. Jones, A. Menon, S. Weatherill (eds.) *The Oxford Handbook of the European Union*, Press, Oxford: Oxford University, 2012.

<sup>38</sup> I. WUTZ, “Why is Europe having trouble communicating with its citizens? | COFACE”, cit.

<sup>39</sup> (Eurobarometer 2018 cited in Directorate-General for Communication, 2019a)

<sup>40</sup> *Standard Eurobarometer - Public opinion in the European Union, 2020*, Retrieved January 27, 2021, from <https://op.europa.eu/en/publication-detail/-/publication/be34a5ee-f3db-11ea-991b-01aa75ed71a1/language-en/format-PDF/source-187984848>.

<sup>41</sup> *Ibid.*

However, when examining the EU's Eurobarometer question on whether EU citizens think their voices count, only 45% of EU citizens agreed on this statement in autumn 2019, after a sharp decrease of 11 points compared to the spring 2019 Standard Eurobarometer.

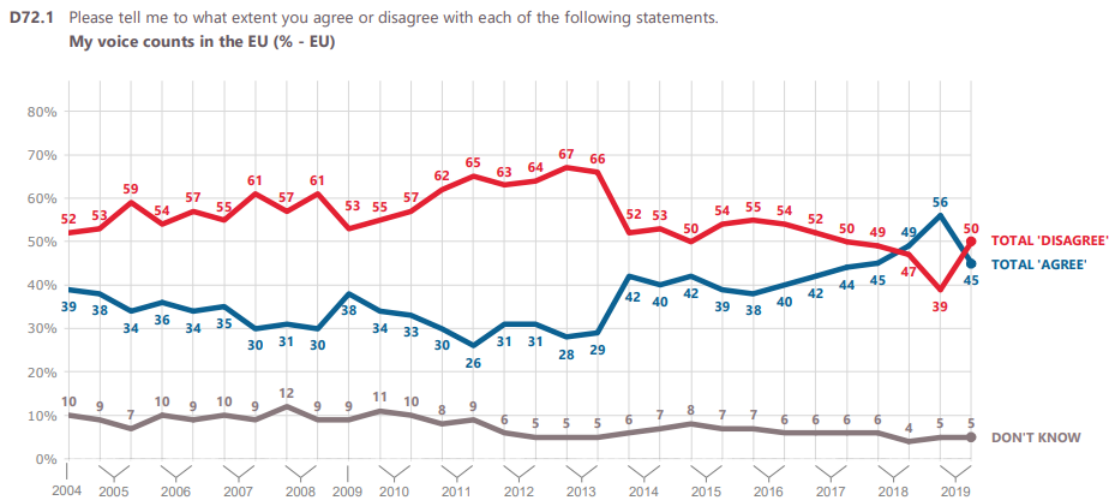


Figure 2: To what extent you agree or disagree: my voice counts in the EU<sup>42</sup>

17 of the member states have a majority of respondents who reckons their voices are being heard in the EU. However, the percentage of “Total Agree” has declined in 23 countries since spring 2019. It was in spring 2019 when EU elections took place, meaning that political campaigns must have had a positive effect on the barometers. This effect has not lasted long since in autumn 2019 a significant decrease in the statistics can be noticed. Moreover, a combination between miscommunications (fake news, etc.); the communication deficit as a whole; and Brexit must have had a negative effect on the Eurobarometer.

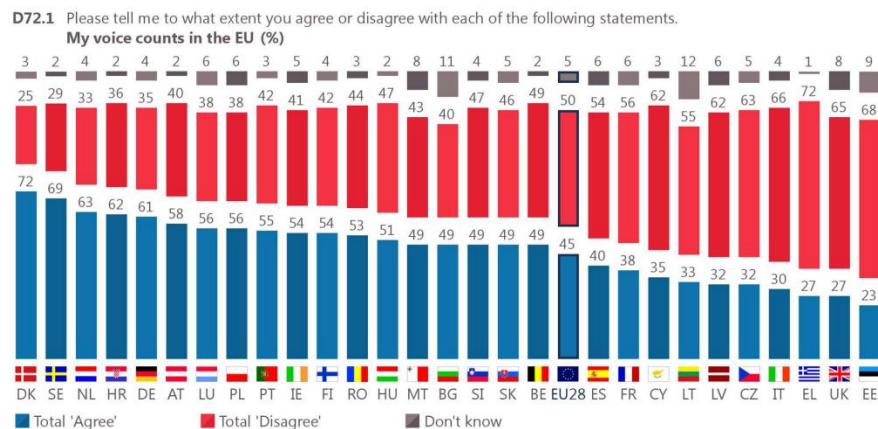


Figure 3: To what extent you agree or disagree: my voice counts in the EU<sup>43</sup>

<sup>42</sup> Ibid.

<sup>43</sup> Ibid.

## 1. Historical Evolution of EU's Communication Strategy.

### 1.1 Pre-Barroso: Top-Down Approach

#### 1.1.1 An Inkling of Bidirectional Communication

European institutions, especially the European Commission, have always intended to provide information on the functioning and course of action taken by the EU. There has always been the willingness to create a platform for EU citizens to participate in European issues or at least influence EU policy in some manner. Several early documents state these intentions<sup>44</sup>. The reasoning behind the will to communicate are issues with transparency, openness, and the intention to portray the EU as a political entity rather than as an economic union<sup>45</sup>.

During the 1960s the member states went through a remarkable transformation in terms of economic growth. EEC communication campaigns were pointed towards academic political and economic elites since the main aim was to keep the elites informed and willing to cooperate in the integration project. This means that there was no public communication between the EU and citizens of Member States since communication was perceived as an elitist dimension of the EU<sup>46</sup>.

In its origins, the European Coal and Steel Community (ECSC) High Authority had a Spokesman's Group / Press and Information Service from 1953, which would later expand to the Joint Press and Information Service, serving the three communities<sup>47</sup>. This service targeted both general audiences and specialised groups. It also served the purpose of representing the communities at fairs and exhibitions, among others. It was not until 1967 that the Directorate-General for Press and Information (DG X) was created<sup>48</sup>. In the 1970s communications would flourish as a policy field emerged within the EU. On 14 December 1973, the Copenhagen European Council adopted a *Report on the European Identity*, which would aim at spreading the sense of community among the EEC policies<sup>49</sup>. Up until then, the EU had gathered an array of information channels that were set in a purely informative communicational style. There was no established dialogue between the EU and its citizens but rather a unidirectional informative-only mean of communication. It appears that the EU took a top-down approach to communication which was not designed to enhance a sense of belonging among the citizens of the EEC member states. There were insufficient coordination and no wish for initiating proactive and communicative dialogues. The legitimacy of the EU among the EU citizens was at stake from the very first steps of the EEC as the institution was perceived as an opaque and unidirectional system<sup>50</sup>.

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<sup>44</sup> E. KAROLINY, *Communicating (in) the foreign field European public diplomacy and communication policy on external action Introduction-public relations and public diplomacy of the EU*, Retrieved February 16, 2021, from <http://publications.europa.eu/>.

<sup>45</sup> C. VALENTINI; G. NESTI, "Public Communication in the European Union: History, Perspectives and Challenges ", cit.

<sup>46</sup> *Ibid.*

<sup>47</sup> E. KAROLINY, *Communicating (in) the foreign field European public diplomacy and communication policy on external action Introduction-public relations and public diplomacy of the EU*, cit.

<sup>48</sup> *Ibid.*

<sup>49</sup> C. VALENTINI; G. NESTI, "Public Communication in the European Union: History, Perspectives and Challenges ", cit.

<sup>50</sup> *Ibid.*

The emergence of the bidirectional communications field took place in the wake of a speech given by Sean Ronan, the Commission's General Director for Information, addressed to the Public Relations Institute of Ireland, in November 1975. In this speech, Sean Ronan acknowledges the communication gaps for the first time. Ronan presented the EU institutions as "remote, intangible and bureaucratic". These adjectives had never been attributed to the EU before in history. Ronan blamed the EU for the null chances for EU citizens to participate in the Community policy-making structure. The Commission acknowledged the need for a steady flow of data about EEC activities<sup>51</sup>. Sadly, as mentioned previously in this present paper, Canel & Luomaho<sup>52</sup> still states in 2018 that the EU has not yet been able to establish a consistent communication mechanism.

These first instances of what turned out to be the communication policy of the EU were not accompanied by specific documents dealing with the use of the existing information tools. Since the main reports dealing with communication policies were not drafted until the 1990s, the information tools developed up until that moment were not being regulated by a concise policy agenda. That is to say, information tools came before regulation. In fact, several information networks were established in 1963, such as the European Documentation Centres network (EDC), which focused on providing information and other research aids for universities. Moreover, the Publications Office of the European Union (Publications Office) operates from 1969, the beginning of the ECSC. The Publications Office is an interinstitutional body and remains today as the official publications department of the EU. It produces Official Journals, Bulletins and Annual Reports as well as a vast array of leaflets, statistics and reports as well as information for children and researchers<sup>53</sup>. It seems that pre-policy tools have adapted to the changing insight of the EU towards EU communication. The legislative framework only had to shape the pathway of these tools so they would follow what was once uttered by Sean Ronan in his speech to the Public Relations Institute of Ireland.

The Eurobarometer, founded by Jacques-René Rabier, was launched in 1973 as a regular public opinion survey mechanism. In the early 1960s, Rabier put forward the idea that the EU should collect and gather the Europeans' ideas, attitudes, and positions. These polls would be conducted with two different aims: to receive input on public opinion regarding integration and to assess issues taking place across national borders. These polls addressed an array of issues relating to the EU. The EU has observed public opinion for nearly 50 years and the Eurobarometer still plays a pivotal role in the communication strategy of the EU in 2021. The Eurobarometer is conducted twice a year and it is seen as a high-quality tool since it generates a large amount of data. Heavy criticism has been targeted to its methodology and its instrumentation for political interests<sup>54</sup>.

The first European Parliament elections took place in 1979 and allowed EU citizens to elect democratically 410 Members of the European Parliament (MEPs). Up to then, the European Parliament comprised members appointed by and from national parliaments. However, the Parliament was not content with these appointments and threatened to take the Council to the

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<sup>51</sup> *Ibid.*

<sup>52</sup> "What Is Changing in Public Sector Communication?", cit.

<sup>53</sup> E. KAROLINY, *Communicating (in) the foreign field European public diplomacy and communication policy on external action Introduction-public relations and public diplomacy of the EU*, cit.

<sup>54</sup> S. NISSEN, *The Eurobarometer and the process of European integration Methodological foundations and weaknesses of the largest European survey*, 2012, Retrieved March 6, 2021, from <https://link-springer-com.sire.ub.edu/content/pdf/10.1007/s11135-012-9797-x.pdf>.



European Court of Justice. The Council finally agreed on holding the first European Parliament elections. In June 1979, the MEPs would be chosen by universal suffrage<sup>55</sup>. Since then, several referendums on EU issues have taken place. These have covered issues such as accessions, enlargements, and treaties.

The end of the 1970s could be summarised as a clash between the lack of policy framework and a growing number of communication tools that were flourishing in the traditional top-down approach. In sum, the 1970s were the first approach to open the debate on public participation and to leave behind the role of the “passive membership” that EU citizens played. However, the nature of the mechanisms in place was top-down which meant that there was no room for active interaction between the EU and EU citizens.

### **1.1.2 The Single European Market and the Failure of “A People’s Europe”**

It was not until the 1980s that the European Commission recognized information and communication as a pivotal priority for future actions and as a crucial tool for integration. Therefore, the 1980s involved the linking of communication policies with the process of integration. The Commission realised that the main cornerstone of European economic and political integration was generating consensus among EU citizens about the need for this process. EU citizens must back up the EU’s decisions as they ultimately are the reason for the EU to exist<sup>56</sup>.

The historical context of the 1980s must be considered in order to grasp a comprehensive view of the evolution of European Communications. The 1980s were marked by the European Single Act (1986). The Single Act was aimed at overcoming the oil crisis (1973-1979) through the evolution of the customs union towards the Single Market. The Single Market was to be established by 31 December 1992. Moreover, the cooperation towards the signature of the Schengen agreement started in the 1980s. In the 1980s there was a discussion about the freedom of movement of people which culminated in the signature of the agreement in 1985 by the Benelux countries, Germany, Italy and France. The elimination of border controls would not take place until 1995 when the Schengen agreement came into force<sup>57</sup>.

The EU continued its quest for a consistent communication policy throughout the 1980s. The decade started with the establishment of an ad hoc committee composed of representatives of the Head of State. This committee was created in June 1984 and was meant to carry out measures to enhance and foster the EEC image among the public opinion. The Committee pursued a project called “A People’s Europe” which aimed at building the European identity. The committee drafted two reports in both March and June 1985 which were proposing a series of actions to be taken in order to promote the visibility of all the improvements and facilities that the community gave to

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<sup>55</sup> C. M. N. HOSKYN, *Democratizing the European Union: Issues for the twenty-first Century (Perspectives on Democratization)*, Manchester University Press, 2000.

<sup>56</sup> C. VALENTINI; G. NESTI, “Public Communication in the European Union: History, Perspectives and Challenges”, cit.

<sup>57</sup> F. LAURSEN, *Designing the European Union: From Paris to Lisbon*, Palgrave Macmillan, 2012, Retrieved March 6, 2021, from

<https://books.google.es/books?id=ppV5iafOSUwC&printsec=frontcover&dq=european+single+act&hl=en&sa=X&ved=2ahUKEwihxKHDPJrvAhUJyx0KHZTCCpYQ6AEwAnoECAMQAg#v=onepage&q=paris&f=false>.

EU citizens. It was necessary to communicate how the advancements of the European single act and the Schengen agreement affected the everyday lives of citizens. The present project helped in the simplification of rules and practises to bring the EU closer to its citizens so they could benefit from rights such as the three classic freedoms of movement of citizens, transport's goods and transport services.

Other relevant improvements were the workers right to freely move and establish within the community borders or the mutual recognition of professional qualifications. It is necessary to emphasise the idea that the project "A People's Europe" was meant to bring to light what the EU as a political union was doing for the benefit of EU citizens. "A People's Europe" advocated for the active participation of the citizens in the political process which would involve adopting uniform procedures for the election of the European Parliament. For the first time, the right of petition and the establishment of a European Ombudsman was contemplated as possible future communication tracks. The right of petition would ensure greater transparency in the administration as individuals were going to be given common freedom of speech and the right of assembly. This process would also come along with this simplification of community law so an average individual could understand their rights and responsibilities as a citizen of the EU<sup>58</sup>. Sadly, there was never materialisation of this intended simplification of the treaties as they remain too difficult to be understood by an average citizen despite the efforts of the lexicography and terminology departments of the EU. The treaties are thought to be too long and too complicated for a comprehensive understanding of European law. EC institutions' language should be plain and easy to understand. Only then a real dialogue could be possible. The clarification and simplification of treaties was important because it would lead to eliciting more public support for the integration process<sup>59</sup>. Bongdandy and Ehlermann<sup>60</sup> linked simplicity to legitimacy. As they put it:

European integration lost support, and it is widely acknowledged that one reason to be found in the lack of transparency of the political processes in Brussels. Not all, but some of this lack of transparency is due to the text of the original Treaties and of all those which have followed and amended them: provisions are cumbersome, hard to grasp in their meaning and generally difficult to understand in their relationship to one another.<sup>61</sup>

"A People's Europe" also brought the adoption of a community image and identity through the creation and promotion of symbols such as the flag, the emblem, the anthem, and stamps. Finally, the project also intended to provide more information about the integration process of the EU. Some saw this project as a solely politically driven agenda, yet some others acknowledge the Commission's intent to reinforce a European identity by emphasizing the importance of integration. This plan was relaunched in both November 1985 and June 1986 thanks to the drafting of two new written communications which mainly advocated for opening to new topics such as the environment the social sphere and the monetary policies. The EU understood the importance of communication campaigns urging to promote the benefits of the internal market. Radio

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<sup>58</sup> C. VALENTINI; G. NESTI, "Public Communication in the European Union: History, Perspectives and Challenges", cit.

<sup>59</sup> B. DE WITTE, "Simplification and reorganization of the European treaties", *Common Market Law Review*, vol. 39, 6.

<sup>60</sup> Cited in *Ibid.*, p. 1256.

<sup>61</sup> *Ibid.*

programmes, bulletins and specific brochures on EEC policies were being launched in order to spread all the data that EU citizens could be taking advantage of<sup>62</sup>. As they put it,

The clusters expanded alongside the process of integration, attracting within them new issues. In the 1980s *transparency* was associated with *simplification* of administrative acts, *European identity* with the idea of *citizenship*, while within the cluster of issues related to *organisation* the principle of collaboration is extended to all the European institutions, not only to member states.<sup>63</sup>

According to authors such as Clercq<sup>64</sup>, “A People’s Europe” never fulfilled all its purposes and remained as a failed attempt to boost a change in European Communications. The EU did not regain the credibility that “A People’s Europe” promised<sup>65</sup>.

### 1.1.3 The Ratification Crisis

The public communication strategy of the EU underwent a drastic shift with the ratification of the Maastricht treaty. The Maastricht treaty created the EU as well as its three pillars: the European communities; common foreign and security policy and justice, and Home Affairs. At this point, European integration was not supported by ordinary EU citizens as both the Danish and French referenda proved in 1992. The “no” won in Denmark and only 51% of the votes were favourable to the ratification in France. The negative feedback received from both referenda dragged EU legitimacy into the spotlight. The information and communication policies were now under scrutiny and some raised the question of whether the current policies at the time were being effective or not. The main aim of public communications in a public institution is to create strong liaisons between the institution and the institutions’ audience. However, it seems that the EU had not reflected upon the connexion between legitimacy and effective communication strategies<sup>66</sup>.

Owing to the public’s rejection of the ratification of the Maastricht Treaty there was an ongoing debate on a presumable democratic deficit of the EU. The EU answered these accusations by claiming their willingness to increase the transparency of the Community. This new approach was captured on the *Interinstitutional declaration on democracy, transparency, and subsidiarity*<sup>67</sup>. This declaration is dated 25 October 1993 and was put forward by the Council and the European Parliament. This paper was a declaration of intentions which included opening some of its debates to the public; publishing records and explanations of its voting; and providing access to its archives,

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<sup>62</sup> C. VALENTINI; G. NESTI, “Public Communication in the European Union: History, Perspectives and Challenges”, cit., p. 40.

<sup>63</sup> *Ibid.*

<sup>64</sup> *Reflection on Information and Communication Policy of the European Community*, 1993.

<sup>65</sup> *Ibid.*

<sup>66</sup> J. OLSEN, *The European Union: Politics and Policies*, Routledge, 2021, Retrieved March 6, 2021, from [https://books.google.es/books?hl=en&lr=&id=gybxDwAAQBAJ&oi=fnd&pg=PT16&dq=european+union+history&ots=CqMws3LE9W&sig=D9i\\_AQipG-b1uirJ8mJqc10Dq6A&redir\\_esc=y#v=onepage&q=maastricht+treaty&f=false](https://books.google.es/books?hl=en&lr=&id=gybxDwAAQBAJ&oi=fnd&pg=PT16&dq=european+union+history&ots=CqMws3LE9W&sig=D9i_AQipG-b1uirJ8mJqc10Dq6A&redir_esc=y#v=onepage&q=maastricht+treaty&f=false).

<sup>67</sup> COUNCIL OF THE EUROPEAN UNION, *Interinstitutional Declaration on Democracy, Transparency and Subsidiarity*, 1993, Retrieved March 6, 2021, from [https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:31994Y0228\(02\)&from=EL](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:31994Y0228(02)&from=EL).

among other measures. This institutional response had a clear target: to let the general public know that the EU was eager to get closer to them<sup>68</sup>.

### 1.1.4 Clercq and Pinheiro

The most remarkable actions were the ones led by Clercq and Pinheiro —a Member of the European Parliament and a Commissioner respectively— who proposed communicative strategies that questioned the organisational issues of the EU instead of criticising the political issues of the organisation. Clercq claimed that EU citizens had been “imposed” to agree with the EU as no referenda on the EU asked whether they agreed or not with its existence<sup>69</sup>. In March 1993 a Committee of Experts chaired by the MEP Clercq published the report *Reflection on Information and Communication Policy of the European Community*<sup>70</sup>. This report aimed at overcoming the previously mentioned organisational issues of the EU by assuming that a marketing-oriented approach would give results.

The then president of the Commission Jacques Delors asked commissioner João de Deus Pinheiro to evaluate whether changes should apply to the information and communication spheres of the EU. Pinheiro thought that Clercq’s view was lacking a substantial course of action. Pinheiro was able to spot two main areas of concern:

Firstly, he realised that citizens may be baffled when encountering a very complex and institutionalised system. This confusion could lead to scepticism. EU citizens were more acquainted with local governments and saw the EU as a foreign and external political entity with no relevance to them. Pinheiro thought that maybe EU citizens could not grasp what the universal approach of the EU involved as they were not acquainted with such systems. Moreover, the EU and its transnational approach to politics was unprepared to engage with local audiences from each of the member states.

Secondly, Pinheiro blamed the Commission for the scepticism created among public audiences due to a lack of proper coordination and professionalism concerning communication strategies. Commissioner Pinheiro then claimed that openness and transparency should be acknowledged as the cornerstones of public communications. He also advocated for an improvement in terms of management of information and a reorganisation of the Commission's competencies. The Maastricht treaty would then recognise that public access to information and the transparency of the decision-making process were crucial to passing the test of public scrutiny.

Pinheiro’s words would lead to two reports urging for openness: firstly, the *Communication to the Council the Parliament and the Economic and Social Committee*<sup>71</sup>; secondly, *Openness in the Community*<sup>72</sup>. Furthermore, the *Interinstitutional Declaration on Democracy Transparency and*

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<sup>68</sup> *Ibid.*

<sup>69</sup> WILLY DE CLERCQ, *Reflection on Information and Communication Policy of the European Community*, cit.

<sup>70</sup> *Ibid.*

<sup>71</sup> EUROPEAN COMMISSION, *Communication to the Council, the Parliament and the Economic and Social Committee: Public Access to the Institutions’ Documents*, 1993.

<sup>72</sup> E. COMMISSION, *Openness in the Community*, Brussels, 1993.

*Subsidiarity*<sup>73</sup> enumerated the specific measures taken by the institutions of the EU to strengthen openness of the policy making and convenience when accessing information. Pinheiro added that communication strategies should be developed on-demand and shaped to target specific audiences as well as easily available. Pinheiro's report *The Commission's Information and Communication Policy—External Information*<sup>74</sup> emphasizes the need for coordination of Commission's activities, a clear delimitation in terms of responsibilities among the DG X, the Spokesman's Service and the College of Commissioners. The paper also advocated for strong cooperation between the EU and the Member States. This cooperation would take place through the *Commission Offices* in the Member States. The Commission Offices should listen to the publics' opinions of the deployment site to then convey them to the Commission. By doing so, Pinheiro meant consolidating the active participation of the public in the decision-making process of the Union. All these actions were to erase the public's scepticism and haziness that commissioner João de Deus Pinheiro initially highlighted<sup>75</sup>.

The mid-1990s was characterised by the entry in force of the Schengen treaty (1995). There was a vivid intention to enlarge the Community. The enlargement perspective would therefore advocate for a more flexible decision-making process. The Amsterdam Treaty (1997) would establish an area of freedom, security, and justice for its citizens with no interior borders. In order to accomplish this aim, the Amsterdam treaty required member states to transfer powers from national governments to the European Parliament including criminal justice, common immigration policy, refugees' policy and cooperation with the police. Moreover, the Amsterdam Treaty created the position of high representatives and differentiated among the common foreign and security policy general guidelines and the adoption of common actions, common positions, and the implementation of foreign policy<sup>76</sup>. This transfer of powers would be essential to create a firm external border of the Union<sup>77</sup>. The EU was expanding, and external borders were being delimited.

It appears that the EU cared about a political and economic expansion, yet it did not pay attention to solve its problems with EU-civil society communications. The pillars of the EU, the EU citizens, were placed at a secondary priority while the *Plan Agenda 2000*<sup>78</sup> was launched the same year as the Amsterdam Treaty. The Agenda 2000 was a strategy to reform the Common Agricultural Policy and Regional Policy and a declaration of intentions to reform the financial framework to prepare the Union for the upcoming Eastern Enlargement. I reckon that enlarging a Union that did not accomplish strong liaisons with the population of the member countries was not the right course of action. A fragmented Union in terms of public opinion should not aim for

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<sup>73</sup> COUNCIL OF THE EUROPEAN UNION, *Interinstitutional Declaration on Democracy, Transparency and Subsidiarity*, cit.

<sup>74</sup> SEC, *The Commission's Information and Communication Policy - External Information*, 1994.

<sup>75</sup> C. VALENTINI; G. NESTI, "Public Communication in the European Union: History, Perspectives and Challenges", cit.

<sup>76</sup> G. PASQUINO; L. REICHLIN, *The History of the European Union: Constructing Utopia*, Giuliano Amato, Enzo Moavero-Milanesi, 2019, Retrieved March 6, 2021, from <https://books.google.es/books?id=MguBDwAAQBAJ&printsec=frontcover&dq=history+of+the+european+union&hl=en&sa=X&ved=2ahUKEwiV56bhy5zvAhWO2hQKHawoDBsQ6AEwAHoECAUQA#v=onepage&q=amsterdam+treaty&f=false>.

<sup>77</sup> *Ibid.*

<sup>78</sup> EUROPEAN COMMISSION, "Agenda 2000: for a stronger and wider Union", 1997, Retrieved March 6, 2021, from <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM%3A160001>.

enlargement if it was meant to be an integrative organisation. The internal fragmentation concerning communications came in 1999 when the College of Commissioners resigned when they were accused of fraud and corruption. This major event started a crisis of legitimation of the European Commission.

### 1.1.5 The White Paper on European Governance

Romano Prodi took charge of the Commission in 1999 and intended to update the Commission's image and to reinforce the integration process. *The White Paper Reforming the Commission*<sup>79</sup> and the *White Paper on European Governance*<sup>80</sup> were a statement of purpose which gathered in two documents the general objectives and course of action of Prodi's Commission. Prodi presented a strategy that involved the following steps: firstly, reorganising the Commission's activities; secondly, improving governance; and finally, implementing a new communication policy. *The White Paper on European Governance* called for good governance relying on values such as openness, participation, accountability, effectiveness, and coherence. In order to meet these commitments, the Commission prepared an annex on consultation of European Institutions named *Towards a reinforced culture of consultation and dialogue – General principles and minimum standards for consultation of interested parties by the Commission*<sup>81</sup>. This annex acknowledged that the benefits of collecting outside input were not an innovation of that period.

However, this document proposed a joint approach involving all the European institutions to create a consistent undertaking to consultations. Moreover, it urged for a more transparent consultation process which would increase the Commission's accountability. Furthermore, this annex included *the Interactive Policy-Making Initiative (IPM)* as a policy to introduce the Internet as a tool to collect and analyse data, which would allow for a quicker and more accurate response to EU citizens. *The Consultation, the European Commission and Civil Society (CONECCS)* was also introduced as the database for all formal and structured consultative bodies. It was a channel of information between civil society organisations and the Commission. A vast range of civil society organisations can speak up to CONECCS such as the *Assembly of European Regions (AER)* or *Caritas Europa*, among others. Thanks to this annex, the use of Information and Communication Technologies (ICTs) was linked to democracy as a participatory tool for the masses and the EU's overall discourse defended EU democratization.

Up until that time, the numerous declarations and reports on communication and information policies never called for the active collaboration between the EU Member States and the Union. However, in 2001, the EU acknowledged for the very first time the role played by the Member States when spreading information on EU issues. The document containing this intention was *the Commission communication on a new framework for cooperation on activities concerning the*

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<sup>79</sup> EUROPEAN COMMISSION, *The White Paper Reforming the Commission* - /\* COM/2000/0200 final \*/ , 2000, Retrieved March 6, 2021, from <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A52000DC0200%2801%29>.

<sup>80</sup> E. COMMISSION, *White Paper on European Governance*, Brussels, 2001.

<sup>81</sup> EUROPEAN COMMISSION, *Towards a reinforced culture of consultation and dialogue-General principles and minimum standards for consultation of interested parties by the Commission*, Brussels, 2002, Retrieved March 7, 2021, from [http://europa.eu.int/comm/governance/index\\_en.htm](http://europa.eu.int/comm/governance/index_en.htm).

*information and communication policy of the European Union*, dated 29 June 2001<sup>82</sup>. The document referred to Article 10 of the EC Treaty which obliges the administrations of the Member States to take the necessary measures to facilitate the achievement of the Community's tasks. The participation of the Member States in a common European Information and communication policy was now considered of fundamental importance<sup>83</sup>.

In March 2002, the European Parliament adopted another report calling for an improvement in terms of EU information policies and a more developed communication strategy. One more report on the same lines was adopted in July 2002 yet the lack of support showed in the ratification of the Maastricht treaty was still a huge problem for the EU. A series of reports and initiatives were followed yet the lack of two-way communication was still a widespread problem in the EU<sup>84</sup>.

### 1.1.6 The Treaty of Nice and The EU Charter of Fundamental Rights

The Treaty of Nice came into force in 2001. Its objective was to adapt the decision-making processes of the EU for the enlargement. It turned out to be a very technical treaty about issues such as how voting in the council would work after the enlargement; how to weigh votes depending on the size of the population<sup>85</sup>. In the fields of communications, the EU succeeded to take one step forward when adopting the EU Charter of Fundamental Rights. Articles relevant for the field of EU communications are the following: Article 11 (right to information and freedom of expression as well as freedom and diversity of the media); Article 41 (right to be heard and right of access to documents relating to oneself); Article 42 (right of access to the documents of the EU institutions) and Article 44 (right of petition)<sup>86</sup>. The EU Charter of Fundamental Rights paved the way to the audience-centred approach that Barroso will adopt during his first Commission.

*The Laeken Declaration on the future of the European Union*<sup>87</sup> put forward the idea that Europe was at a crossroads and had to face challenges such as the following: an improvement of the division of competencies; the simplification of the Union's instruments; the enhancement of democracy, transparency and efficiency; and the writing of a constitution for EU's citizens<sup>88</sup>.

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<sup>82</sup> O. ANDREASEN, *Report on the Commission communication on a new framework for co-operation on activities concerning the information and communication policy of the European Union - Committee on Culture, Youth, Education, the Media and Sport - A5-0051/2002*, 2001, Retrieved March 7, 2021, from <https://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+REPORT+A5-2002-0051+0+DOC+XML+V0//EN&language=EN>.

<sup>83</sup> *Ibid.*

<sup>84</sup> *Ibid.*

<sup>85</sup> G. PASQUINO; L. REICHLIN, *The History of the European Union: Constructing Utopia*, cit.

<sup>86</sup> EUROPEAN COMMISSION, *Charter of Fundamental Rights of the European Union*, 2012.

<sup>87</sup> EUROPEAN COMMISSION, "Laeken Declaration on the Future of the European Union", 2001, Retrieved 7 March 2021, from

<https://ec.europa.eu/dorie/fileDownload.do?sessionId=BfT1JXCLqsj0GqG1GmTSb6PW0fPIZyQq7k7z2hxnqtQ8xJmJZJQP!-172979321?docId=344249&cardId=344249>.

<sup>88</sup> G. PASQUINO; L. REICHLIN, *The History of the European Union: Constructing Utopia*, cit.

## 1.2 First Barroso Commission (2004-2009): An Audience-Centric Approach

The two major events of the First Barroso Commission were the following: the low turnout from the 2004 European Parliament and the failure of the European Constitution.

The European Parliament elections held in June 2004 were another example of how EU citizens were not interested in EU issues. The low participation in those elections could be interpreted as a dearth of interest towards the EU. However, as Schmitt *et al.* claim<sup>90</sup>, there is no direct correlation between low participation in an election and EU scepticism or opposition towards either EU institutions or EU policies. According to these authors, low participation does not equal a legitimacy crisis.

### 1.2.1 The Failure of the European Constitution

Barroso's Commission opted for promoting integration in the shape of the project of writing a European constitution. A treaty can only enter in force if it is ratified by all member states. Ratification in each country depends on its constitutional arrangements and political processes. Two referenda took place in France and the Netherlands. Both referenda rejected the ratification of the European Constitution. According to Hobolt & Brouard's findings<sup>91</sup>, French voters made use of this referendum as a channel to convey their opinion on how they wanted the EU to evolve. On the other hand, in the Netherlands, the votes against the ratification seemed to translate into concerns about multiculturalism and loss of national identity<sup>92</sup>.

The widespread "no" from both referendums in France and the Netherlands and the failure of its ratification were the two vivid examples of the lack of communicative channels between the EU and its citizens. Many argued that the Constitutional Treaty failed since integration has to go hand in hand with wide public support. There was no active involvement of the citizens of Europe; EU citizens were not able to set any sort of agenda nor participate in any stage of the writing of the constitution. As Wallström<sup>93</sup> puts it, the European constitution could have been a success only if there had been an active two-way communication channel between the institutions of the EU and its citizens. EU institutions drafted the *Joint Statement on the results of the referendum in the Netherlands on the Treaty establishing a Constitution for Europe*<sup>94</sup>. This statement claimed that the EU respected the choices made by the voters in both France and the Netherlands. However, the

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<sup>90</sup> *The European Parliament Elections of June 2004: Still Second-order?* 1, 2005.

<sup>91</sup> "Contesting the European Union? Why the Dutch and the French Rejected the European Constitution", *Political Research Quarterly*, vol. 64, 2, 2011, Retrieved March 7, 2021, from <http://prq.sagepub.com>.

<sup>92</sup> *Ibid.*

<sup>93</sup> (2007, cited in Valentini & Nesti, 2010)

<sup>94</sup> EUROPEAN COMMISSION, *IP/05/653 Joint Statement of President of the European Parliament Josep Borrell Fontelles, President of the European Council Jean-Claude Juncker and President of the European Commission José Manuel Barroso on the results of the referendum in the Netherlands on the Treaty establishing a Constitution for Europe.*, cit.



Statement also conveyed that the EU was still convinced of the viability of the European Constitution<sup>95</sup>.

This is a vivid example of how communicative tools such as referenda were being politicised and instrumentalised to support political decisions. In this case, the referenda did not result favourable to what the UE wanted to accomplish. Therefore, the results of the referenda were ignored. On the other hand, there was also a poor implementation of the plan to outsource consultations to member states. As mentioned before, *the Commission communication on a new framework for cooperation on activities concerning the information and communication policy of the European Union*<sup>96</sup> externalised consultations to member states. However, many states did not undergo this referendum and those which took place did not do it at the same point in time, some states chose to do it on different dates. This difference in time could have biased the results. In sum, there is a need to weigh the political problems and the communication problems of the EU as those responsible for the other may blame the other party.

As a result of the tense situation decided to create a new commissioner for communication since he felt that those elections reflected the communication crisis that the EU was undergoing. The commissioner appointed for this position was the former environment commissioner Margot Wallström<sup>97</sup>. Owing to the failing constitution, the President of the Commission, José Barroso, and Vice-President Wallström presented a strategic plan to shift the communicative plan of the European Commission. From 2005, communication policy became a binding institutional priority<sup>98</sup>.

The new commissioner for communication, Margot Wallström, acknowledged from a communications point of view that the failure of ratification meant that there would have to be a greater internal dialogue within the Commission itself in order to update internal communications within the institutions. The failing constitution created a climax of political uncertainty which also translated into very poor liaisons between the EU and the EU citizens. Wallström gave a speech at the CIRCOM Conference at the Committee of the Regions<sup>99</sup> presenting what would turn out to be one of the first relevant policy papers on communications: *The Plan D for Democracy, Dialogue and Debate*<sup>100</sup>.

The CIRCOM Conference at the Committee of the Regions was the turning point for the EU communication strategy because after presenting all these arguments and reasonings behind the next actions of the EU, the commissioner presented what would turn out to be the two most

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<sup>95</sup> *Ibid.*

<sup>96</sup> O. ANDREASEN, *Report on the Commission communication on a new framework for co-operation on activities concerning the information and communication policy of the European Union - Committee on Culture, Youth, Education, the Media and Sport - A5-0051/2002*, cit.

<sup>97</sup> C. VALENTINI; G. NESTI, "Public Communication in the European Union: History, Perspectives and Challenges", cit.

<sup>98</sup> *Ibid.*

<sup>99</sup> "CIRCOM Conference at the Committee of the Regions SPEECH/05/600", 2005, Retrieved February 27, 2021, from [https://ec.europa.eu/commission/presscorner/detail/en/SPEECH\\_05\\_600](https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_05_600).

<sup>100</sup> M. WALLSTRÖM, *Committee and the Committee of the Regions. The Commission's contribution to the period of reflection and beyond: Plan-D for Democracy, Dialogue and Debate*, 2005, Retrieved February 27, 2021, from [http://europa.eu.int/comm/public\\_opinion/archives/eb/eb63/eb63\\_en.htm](http://europa.eu.int/comm/public_opinion/archives/eb/eb63/eb63_en.htm).

important reports on EU communication: *the Plan D for Democracy, Dialogue and Debate*<sup>101</sup> and *the White Paper on Communication and Democracy in Europe*<sup>102</sup>.

### 1.2.2 The Plan D for Democracy, Dialogue and Debate

At the conference, the commissioner for communication acknowledged the huge need for a new communication strategy. The commissioner pointed out three main issues that Plan D would tackle. Those were the following: firstly, the urge for better communication between EU institutions and EU citizens; the need to “go local”; and thirdly, improving and promoting the working relations between the Commission and the regional media. As far as the first aim is concerned, the commissioner listed for the very first time, issues concerning people in an official report. As Wallström<sup>103</sup> enumerates them:

People want the European Union to deal with such issues as:

- Unemployment – which many see as a negative effect of globalisation;
- The pensions and healthcare “time-bomb” as Europe's workforce shrinks;
- The need for better education and training;
- Climate change and other environmental issues.<sup>104</sup>

The commissioner also pointed out that there were many global issues that people simply did not have an inkling about and that there should be a clear declaration of intentions to connect EU citizens with current global issues that may affect them. He added the need to identify what people do not know about EU affairs in order to fill these gaps. Making contact, listening and dialogue were the three cornerstones that Wallström highlighted. When it comes to the second issue acknowledged in the Plan D report, the need to go local, Wallström advocated for the urge to bridge both local and regional media. The EU needs to convey how EU actions are making a difference in the daily lives of local communities.

Wallström provides very interesting examples of this local range of the EU. For instance, he states how in South Eastern Ireland the EU has provided funds to help young mothers living in suburbs or poor neighbourhoods by providing childcare facilities. Thanks to these childcare facilities these women could then attend training courses. Another example was that the EU funding worked to ensure that buses were to be adapted for handicapped people and warranted the possibility to get on taxis with no extra cost and short notice for handicapped people. According to Wutz<sup>105</sup>, all these intentions to go local were undermined by the middleman figure of national politicians. One cannot avoid wondering whether the main problem was found in the national lenses (distorting or deviating the good intentions of the EU) or if the EU's proposals were just empty promises.

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<sup>101</sup> *Ibid.*

<sup>102</sup> E. COMMISSION, *White Paper on a European Communication Policy*, cit.

<sup>103</sup> “CIRCOM Conference at the Committee of the Regions SPEECH/05/600”, cit., p. 2.

<sup>104</sup> *Ibid.*

<sup>105</sup> “Why is Europe having trouble communicating with its citizens? | COFACE”, cit.

Commissioner Wallström claimed that neither of these papers were an attempt to bring back the European Constitution. These were communication papers that only aimed at public legitimacy with no hidden intentions to bring back the already refused constitution. *The Plan D for Democracy, Dialogue and Debate*<sup>106</sup> proposes 13 initiatives at the community level aiming at the strengthening of dialogue, public debate and citizens' participation. The initiatives converged into a new "feedback process" approach in which results would be forwarded to the Commission and Council by each Member State. The following are the initiatives of *The Plan D for Democracy, Dialogue and Debate*<sup>107</sup>:

- visits by Commissioners to Member states in order to stimulate direct contact with citizens. These would take the form of debates involving governments, national parliaments, business and trade union leaders, civil society, students and regional and local authorities.
- individual Commissioners should be accessible and ready to take on national parliaments to explain Commission policies as well as to make practical arrangements.
- reinforcing the role of the Commission Representations in order to let citizens know that these are focal points to create the cherished two-way communication channel.
- stimulating the creation of European Round Tables for democracy.
- hosting a series of regionally-based events with "European Goodwill Ambassadors". These would mirror the United Nations model for which household names from each member state would be invited to hold open meetings, workshops and talks on EU concerns.
- to promote further the existing consultation procedures.
- to acknowledge and promote the discussion of specific policy areas proposed by the European Citizens' Panel.
- the launch of the European Transparency Initiative. For instance, the Seville European Council opted for opening the Council meetings to the citizens when the Council acts as a co-legislator.
- to look for ways to increase participation in future European referenda or elections, by paying specific attention to the young population as well as to minority groups.
- to present a Eurobarometer survey on the future of Europe and focusing on public support for EU policies and actions.
- to make use of technology and the Internet in order to promote the EU and generate debate online.
- the views of young people should play a pivotal role in the EU.

The "Plan D for Democracy, Dialogue and Debate" was full of good intentions and positive prospects. This report symbolised the foundations of a top-down approach to communication. However, authors such as Biegón<sup>108</sup> claim that there is a gap between what is stated in Plan D and the execution of the initiatives listed above. As Yang<sup>109</sup> puts it, the participatory tools of the EU resulted largely disappointing as there was a contradiction between what EU reports aimed at and

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<sup>106</sup> M. WALLSTRÖM, *Committee and the Committee of the Regions. The Commission's contribution to the period of reflection and beyond: Plan-D for Democracy, Dialogue and Debate*, cit.

<sup>107</sup> *Ibid.*

<sup>108</sup> *Just Cheap Talk? The Democracy Discourse of the European Commission since 2001*, 2014.

<sup>109</sup> "Europe's New Communication Policy and the Introduction of the Transnational Deliberative Citizens' Involvement Projects", en Raphaël Kies, Patrizia Nanz (eds.) *Is Europe Listening to Us? Successes and Failures of EU Citizen Consultations*, Farnham: Ashgate, 2013.

the actual initiative. There were failures in terms of the organisational aspects of the forums and very little attention was paid to the design and the execution of those events. Furthermore, these events were not advertised widely, so their public recognition was poor. Ivic<sup>110</sup> went one step further and stated that Plan D did not reach its very basic purpose: to include European citizens in the decision-making process in the EU. The proof is that the Treaty of Lisbon was ratified without the open debates that Plan D insisted upon. Citizens were excluded from the drafting of this treaty and this fact completely contradicts Plan D. Plan D only achieved the conduction of periodic open debates but with no substantive change since debates did not evolve into deliberations. Another problem pointed out by Bruell<sup>111</sup> was the definition of “public sphere” in the Plan D report. According to the Plan D report, the “public sphere” is linked to regional divisions. However, this is not the case since there is no existing relationship between a public sphere and a specific territorial division. This idea contradicts the open dialogue that Plan D advocated for which was expected to transcend borders and any kind of boundaries for public debates. There is no room for heterogenous projects where all voices should be heard and, therefore, Plan D was even considered a propagandistic tool of the EU<sup>112</sup>.

### 1.2.3 White Paper on a European Communication Policy

In February 2006 the Commission presented the *White Paper on a European Communication Policy*<sup>113</sup>. This is considered to be the second and most important document on European communications strategy history. The Commission realised that the success of *The Plan D for Democracy, Dialogue and Debate*<sup>114</sup> depended on a partnership approach. Plan D failed due to a dearth of cooperation among the different key players. The White Paper advocated for a partnership of EU institutions and bodies with the national and regional authorities in the member states European as well as political parties and civil society. However, this partnership approach was already on the table when the EU introduced Plan D. The explanation behind the *White Paper on European Communication Policy*<sup>115</sup> was while Plan D was just the starting point of the communications debate, The White Paper targeted the drafting of a new communication strategy as such.

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<sup>110</sup> “European commission’s plan D for democracy, dialogue and debate: The path towards deliberation?”, *Institute of European Studies*, 2011, Retrieved February, 28 2021, from [http://www.academicjournals.org/app/webroot/article/article1379857194\\_Ivic.pdf?\\_\\_cf\\_chl\\_jschl\\_tk\\_\\_=87ba4065c65e88b0541aeab60952efc79b6e2c76-1614506082-0-AdkWcaj138y19vi1FD38qwMaHhWGqwa8J3ray33WMFGXPJxdqShFLZGNV62dLvRWnOcqRgkw0pXkcpqW2z-rEtYyLBedYmPYiNbokPPwOOte9Pkxg2J22bzKKowj-tBBXAmVRfrnrg0xa41DnodjTWTxPBwPAqJ\\_UL-cut2PCRh7qj\\_SCK4bj4KM1q-yzG8m56pJOpCO1OfKlrUKOwaJJDqzfspUH4d2B6Cry2Q8\\_3HTccfJ\\_SHKinBKoWNrOOFono\\_iqg1KNEZNyJzFZ5RkmExHf30oJuPRSyELGHa040jhFkSC\\_gHbFVd-w5FelC1IPTMizavisPU8BCIU7ItPFLFNoQStMTXyCpFLimpCCUiVzKNBuyGk-FBcnP-3\\_2zOOQ](http://www.academicjournals.org/app/webroot/article/article1379857194_Ivic.pdf?__cf_chl_jschl_tk__=87ba4065c65e88b0541aeab60952efc79b6e2c76-1614506082-0-AdkWcaj138y19vi1FD38qwMaHhWGqwa8J3ray33WMFGXPJxdqShFLZGNV62dLvRWnOcqRgkw0pXkcpqW2z-rEtYyLBedYmPYiNbokPPwOOte9Pkxg2J22bzKKowj-tBBXAmVRfrnrg0xa41DnodjTWTxPBwPAqJ_UL-cut2PCRh7qj_SCK4bj4KM1q-yzG8m56pJOpCO1OfKlrUKOwaJJDqzfspUH4d2B6Cry2Q8_3HTccfJ_SHKinBKoWNrOOFono_iqg1KNEZNyJzFZ5RkmExHf30oJuPRSyELGHa040jhFkSC_gHbFVd-w5FelC1IPTMizavisPU8BCIU7ItPFLFNoQStMTXyCpFLimpCCUiVzKNBuyGk-FBcnP-3_2zOOQ).

<sup>111</sup> (cited in Ivic, 2011)

<sup>112</sup> (Bruell, cited in Ivic, 2011)

<sup>113</sup> E. COMMISSION, *White Paper on a European Communication Policy*, cit.

<sup>114</sup> M. WALLSTRÖM, *Committee and the Committee of the Regions. The Commission’s contribution to the period of reflection and beyond: Plan-D for Democracy, Dialogue and Debate*, cit.

<sup>115</sup> E. COMMISSION, *White Paper on a European Communication Policy*, cit.

*The White Paper on a European Communication Policy*<sup>116</sup> was followed by a communication issued by the Commission *Communicating Europe in Partnership* in October 2007<sup>117</sup>. The result of these two documents was a joint declaration of the three EU institutions, the *Joint Declaration on Communicating Europe in Partnership*<sup>118</sup> which took place in October 2008. The objectives of the White Paper on European Communication Policy combine the aims of Plan D with practical applications to reach these aims.

*The White Paper on a European Communication Policy*<sup>119</sup> was the official proposal to define a legal base for the communication policy of the EU and to declare it a common policy per se. The objectives were the following:

- to establish an interinstitutional agreement in order to improve cooperation with member states on communication issues. This framework would allow for a more coherent and overarching plan to reach European citizens.
- to set a partnership comprised of all key actors involved: member states, regional bodies, NGOs, enterprises and representatives of civil society. The White Paper called for the intervention of The European Economic and Social Committee and the Committee of the Regions to incentivise regional debates on European issues. Multilingualism is described as an integral aspect of the legitimacy, transparency and democracy of the EU
- improving civic education at school on the EU and its policy.
- the adoption of the *Citizens for Europe* programme aiming at helping European citizens run transnational projects.
- reinforcing the *i2010 Initiative* which sought to close the information gap as well as to address ICT skills since they were the new channels for communication on European issues.
- the proposal of Euro Info Centres and Innovation Relay Centres as possible points of access of information.
- updating the methodology for the Eurobarometer and strengthen the system if possible.

The Herrero Report<sup>120</sup> heavily criticised the White Paper on a European Communication Policy because it focused on consolidating old proposals rather than defining new ones. The Commission ended up abandoning the major proposals which represented the failure of the White Paper. In the Herrero Report<sup>121</sup>, Herrero explicitly refuses the White Paper on behalf of the Members of the European Parliament<sup>122</sup>.

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<sup>116</sup> *Ibid.*

<sup>117</sup> EUROPEAN COMMISSION, *Communicating Europe in partnership*, 2007, Retrieved March 5, 2021, from <https://eur-lex.europa.eu/summary/ET/legisum:110117>.

<sup>118</sup> EUROPEAN PARLIAMENT, *EUROPEAN PARLIAMENT Communicating Europe in partnership European Parliament decision of 9 October 2008 on the approval of the joint declaration on Communicating Europe in Partnership (2007/2222(ACI))*, 2008.

<sup>119</sup> E. COMMISSION, *White Paper on a European Communication Policy*, cit.

<sup>120</sup> *Report on the White Paper on a European communication policy - A6-0365/2006*, 2006, Retrieved 5 March 2021, from <https://www.europarl.europa.eu/sides/getDoc.do?reference=A6-2006-0365&type=REPORT&language=EN&redirect>.

<sup>121</sup> *Ibid.*

<sup>122</sup> P. ALDRIN; J.-M. UTARD; E. KOBENA KUTO; J. TATUM; J.-Y. BART, *The ambivalent politicisation of European communication Genesis of the controversies and institutional frictions surrounding the 2006 White Paper Senior Lecturers-Centre for European Political Sociology (GSPE) Translated from French by*, 2010.

The Lisbon Treaty came into force in December 2009. The treaty of Lisbon was the result of the negative outcome of the Constitutional Treaty and it was adopted after the two-year period of reflection that the EU established in order to rethink the treaties. The political impasse lasted from 2005 to 2007. During this period, Merkel advocated for the business-as-usual style of the EU: what is known as the “classic community summit style”. Decisions would not be open to journalists as it was before since the EU felt broken after the rejection of the European Constitution. Decision-making processes would again take place behind closed doors, and this fact would evolve to the substitution of the former bottom-up approach of the EU. This was an enormous setback for the communication strategy of the EU as the organisation had never considered closing its doors to the public nor giving up the audience-approach tendency that was reflected in the array of reports cited in this paper. This thought persisted in time during the reflection period and would be reinforced with the problems of ratification that the Treaty of Lisbon would undergo<sup>123</sup>.

Among the 15 EU Member States of that time, Ireland was the only Member State to hold a referendum. In June 2008, the Irish voters rejected the Treaty of Lisbon due to a campaign focused on the loss of tax privileges that this treaty would mean for the Irish. Some argued that these reforms were necessary since they were to bring delimitation of competencies of the EU: exclusive competencies, shared competencies and supported competencies. The Lisbon Treaty introduced several changes such as the abolition of the three-pillar structure; the HR acquired new responsibilities; the establishment of the European External Action Service and the inclusion of the solidarity clause<sup>124</sup>.

The European Constitution was meant to bring the EU closer to EU citizens, yet the results of the referenda indicated that the intentions of the EU had had the opposite effect. Since the EU insisted on putting forward their project, they brought back the European Constitution into the Treaty of Lisbon and other legal texts. The EU scattered the European Constitution and led its way, showing no interest in the EU citizens’ wishes.

### **1.3 Second Barroso Commission (2009-2014) Back-to-Business: Top-Down Approach**

This phase was marked by both the economic crisis of 2008 and the setback in the communication strategy of the EU. The financial crisis or mortgage crisis, defined as a “severe contraction of liquidity in global financial markets” took place due to the collapse of the US housing market<sup>125</sup>.

The 2008 economic crisis together with the failing constitution led to the re-establishment of the old top-down approach that the EU had abandoned in the 70s. The European Parliament elections from 2009 added to the legitimization crisis that the EU was undergoing as there was an increase in electoral abstention reaching levels similar to the ones in 1979. Abstention levels

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<sup>123</sup> G. PASQUINO; L. REICHLIN, *The History of the European Union: Constructing Utopia*, cit.; E. PAVY, “The Treaty of Lisbon | Fact Sheets on the European Union | European Parliament”, 2020, Retrieved March, 11 2021, from <https://www.europarl.europa.eu/factsheets/en/sheet/5/the-treaty-of-lisbon>.

<sup>124</sup> G. PASQUINO; L. REICHLIN, *The History of the European Union: Constructing Utopia*, cit.

<sup>125</sup> B. DUIGNAN, “Financial crisis of 2007–08 | Definition, Causes, Effects, & Facts | Britannica”, 2019, Retrieved March, 11 2021, from <https://www.britannica.com/event/financial-crisis-of-2007-2008>.

reached 57% while participation was only represented by 43% of the electorate<sup>126</sup>. The DG Communications' polls showed that the two key worrying issues for the European citizens were both economic growth and unemployment. These polls reflect the instability that the 2008 crisis involved.

After the failure to ratify the European Constitution, the EU opted for a partial cessation of communication with the public. This was an attempt to reintroduce the intergovernmental model in order to give some sense of institutionalisation after the constitutional crisis. This was thought to be the only feasible option to hold the EU together<sup>127</sup>. The public's opinion was no longer the priority. During the second Barroso Commission, the communication strategy of the EU took a unidirectional approach in a purely informative style. The most relevant opinion was the Commission's opinion and the European citizens were perceived as second-class opinions. Viviane Reding, the newly appointed European Commissioner for Justice, Fundamental Rights and Citizenship, introduced the corporate communication system in order to grant the Commission a more pivotal role in Communications.

*The Corporate communication under the Multiannual Financial Framework 2014-2020*<sup>128</sup> acknowledges the financial and economic crisis and states that the context presented unprecedented challenges for the communication strategy of the EU. The main aim of that paper was to announce that a new legal basis would be implemented in terms of communications and those would be made operational in order to establish strong corporate communication. This was the first time that corporate communication was implemented in this manner for the Commission. The pilot phase for the implementation of the corporate model would take place in 2014. The main aim for this corporate communication strategy was to debate on the future of Europe, placing the European Parliament elections in the centre of the dialogue. Enhancing the image of the EU in those times of particular hardship for the public opinion of the EU<sup>129</sup>.

Even though this new focus was vertical, unidirectional communication which reminds of the 70s tendency, this new approach to communication did not leave behind the measures implemented why the White Paper on a European Communication Policy<sup>130</sup>. The corporate model was meant to add to measures implemented by the White Paper such as the citizen dialogues and the online tools to establish this two-way cherished channel.

There was a clash between the overall aim of this period with the rise of technologies. It was during this period that online communications tools developed and created new online platform. The public eye believes in these new ways of communication, leaving old communication channels as secondary tools. The existing social demand for more legitimacy and transparency led towards the comeback of the bottom-up approach. The wall between EU citizens and the EU had to collapse

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<sup>126</sup> DG COMMUNICATIONS, *Encuesta postelectoral Primeros resultados: media europea y principales tendencias nacionales 1*, 2009.

<sup>127</sup> J. E. FOSSUM; P. SCHLESINGER; F. FORET, *The European Union and the Public Sphere: A communicative space in the making?* (Routledge Studies on Democratising Europe), Routledge, Milton Park, Abingdon, Oxon ; New York, 2007, Retrieved March, 11 2021, from <https://es1lib.org/book/959750/49f3c7?regionChanged=&redirect=219484098>.

<sup>128</sup> REDING; LEWANDOWSKI, *Brussels, Xxx Sec(2013) 486/2 Communication To The Commission From Vice-President Reding And Commissioner Lewandowski In Agreement With President Barroso Corporate Communication Under The Multiannual Financial Framework 2014-2020*, 2013.

<sup>129</sup> *Ibid.*

<sup>130</sup> E. COMMISSION, *White Paper on a European Communication Policy*, cit.

and the two-way communication style had to play the crucial role that had always played in the EU from the 70s onwards.

Following the clash between the overall strategy and the rise of Internet tools, in 2011, *the European Citizens' Initiative (ECI)* was created<sup>131</sup>. This is one of the most important participatory instruments in EU democracy as it is supported by a consistent legal basis: article 11(4) of the TEU; article 24(1) of the TFEU; regulations (EU) No 211/2011 and 2019/788; rules 222 and 230 of Parliament's Rules of Procedures. The proposal to create the ECI was a round of consultations, *the Green Paper on a European Citizens' Initiative*<sup>132</sup>. On 15 December 2010, a political arrangement was reached, and the official text was adopted by the Parliament and the Council on 16 February 2011. Despite the efforts mentioned, owing to technical adaptation in each Member states to set a streamlined verification process, the ECI did not start working until a year later. Ever since implementation, there the Commission has expressed its willingness to present reports on the ECI Regulation. *The first report European Citizens' Initiative – First lessons of implementation*<sup>133</sup> suggested a series of recommendations to overcome the initial challenges of the ECI. For instance, to create an office and online platform to support the requests; to provide further feedback on refusal or acceptance of the proposals; to clarify is ECI can propose amendments to EU primary law, among other proposals.

#### 1.4 Jean-Claude Juncker (2014-2019) Back to an Audience-Centric Approach

The political context in Juncker's Commission was the following: the remains of the 2008 crisis; the success of the Brexit referendum; the rise of populism; the refugees' crisis and Trump's presidential victory. Moreover, there was also a rise of populist parties in the European elections in 2014. In 2015, President Juncker uttered one of the quotes that set the main political communicative aim for this period: "This is not the time for business as usual"<sup>134</sup>. Not only did Juncker call for a new approach to EU politics but he also targeted the issue of the asylum policy by explicitly asking for efforts towards the establishment of asylum and refugee policy<sup>135</sup>. Moreover, Juncker advocated for a fair deal with Britain as well as to work on a robust and binding global climate deal<sup>136</sup>. In Juncker's words, "Europe needs more solidarity and courage"<sup>137</sup>.

The historical context of EU communications was marked by the crisis from the second Barroso Commission. The second Barroso Commission regressed to top-down approaches to communications despite keeping some of the audience-centric strategies from the first Barroso Commission. Juncker would then reverse the effect of the general trend of the Barroso Commission

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<sup>131</sup> A. DAVOLI, "European Citizens' Initiative | Fact Sheets on the European Union | European Parliament", cit.

<sup>132</sup> EUROPEAN COMMISSION, *Green Paper on a European Citizens' Initiative*, 2009.

<sup>133</sup> M. BALLESTEROS; E. CANETTA; A. ZACIU, *Directorate General For Internal Policies Policy Department C: Citizens' Rights And Constitutional Affairs Petitions And Constitutional Affairs European Citizens' Initiative-First Lessons Of Implementation Study*, 2014.

<sup>134</sup> EUROPEAN COMMISSION, *State Of The Union 2015: Time For Honesty, Unity And Solidarity*, 2015, Retrieved March 26, 2021, from [www.ec.europa.eu/soteu](http://www.ec.europa.eu/soteu).

<sup>135</sup> *Ibid.*

<sup>136</sup> *Ibid.*

<sup>137</sup> *Ibid.*



by redirecting the whole communicative strategy back to the audience-centric approach by emphasising both the use of online technologies and public debates<sup>138</sup>.

Juncker's Commission was aware of the institutional, political, and economic weaknesses of the EU and its Member States. In order to establish a solid Economic and Monetary Union, Juncker aimed at 10 political priorities<sup>139</sup>:

a new boost for jobs, growth and investment; a connected digital single market; a resilient energy union with a forward-looking climate change policy; a deeper and fairer internal market with a strengthened industrial base; a deeper and fairer economic and monetary union; a balanced and progressive trade policy to harness globalisation; an area of justice and fundamental rights based on mutual trust; a new policy on migration; a stronger global actor; a union of democratic change.<sup>140</sup>

The ten political priorities did not tackle communications explicitly because Juncker aimed at creating liaisons between politics and communications. The Juncker Commission left behind the idea that communication was a separate strategy and proceeded to integrate it into the political sphere. Juncker thought that this would be a way to improve the e-participation tools that ensured two-way communicative channels<sup>141</sup>. It would appear that this is a good strategy to capture the attention of the audiences: instead of focusing on the legal or institutional aspects of the Union when communicating, the EU considered the ten priorities as the main topics to communicate. This way, the EU would stop communicating about decision-making topics that were perceived as too bureaucratic and detached from everyday lives. Instead, the EU would communicate on the ten priorities which mirrored the priorities of the EU citizens in the Eurobarometer from 2014<sup>142</sup>. The following were the top priorities of this Eurobarometer: Economic situation, Unemployment, the state of Member States public finances, etc.

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<sup>138</sup> DG COMMUNICATION, *Strategic Plan 2016-2020*. DG Communication, 2016.

<sup>139</sup> EUROPEAN PARLIAMENTARY RESEARCH SERVICE, *The Juncker Commission's ten priorities - State of play in early 2018: in depth analysis*, 2018, p. 3, Retrieved March 27, 2021, from <https://op.europa.eu/en/publication-detail/-/publication/cb5248c4-0639-11e8-b8f5-01aa75ed71a1/language-en>.

<sup>140</sup> *Ibid.*

<sup>141</sup> DG COMMUNICATION, *Strategic Plan 2016-2020*. DG Communication, cit.

<sup>142</sup> EUROPEAN COMMISSION, *Standard Eurobarometer 81 Spring 2014 Public Opinion in the European Union First Results, 2014.*, 2014, Retrieved March 27, 2021, from [http://ec.europa.eu/public\\_opinion/index\\_en.htm](http://ec.europa.eu/public_opinion/index_en.htm).

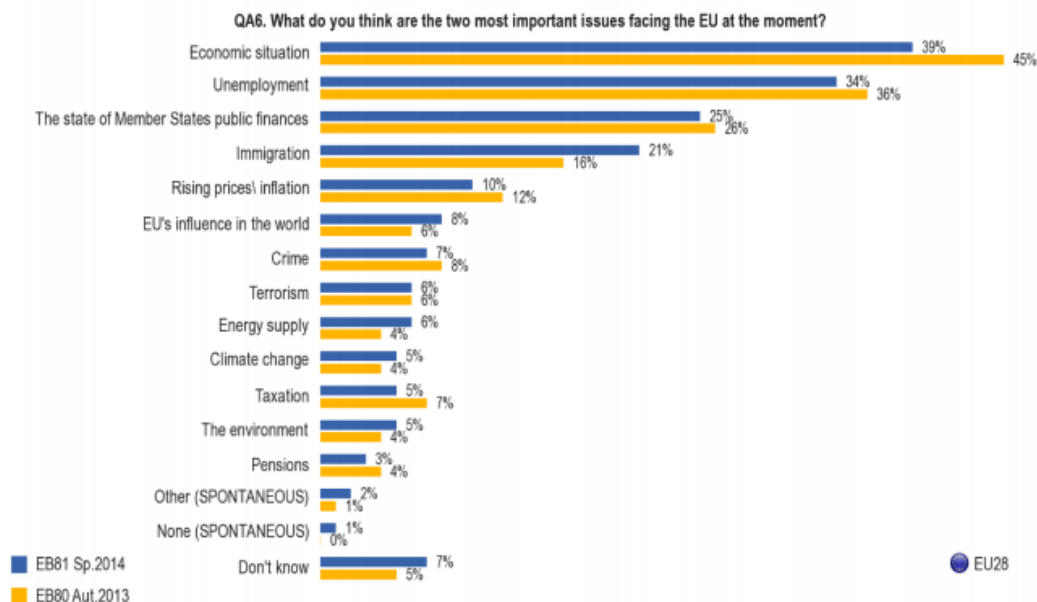


Figure 4: What do you think are the two most important issues facing the EU at the moment?<sup>143</sup>

The novelty of this period is the direct dependency between the Directorate General of Communications and the presidency of the Commission. Juncker was to become the president directly in charge of the Directorate General of Communications. The communication from the president to the Commission: *Communication à la Commission relative aux méthodes de travail de la Commission*<sup>144</sup> was the result of a new collegial structure which would place the Spokesperson Service (SPP) under President Juncker. The SPP would support President Juncker in the overall goal of achieving effective communication in the media with EU citizens. The figure of the SPP is important because it still aimed at top-down approaches to communications as it was mainly informative and persuasive information, targeting the improvement of the image of the EU. The communicative baggage of the second Barroso Commission was still latent at the time. However, it would appear that the EU understood the pivotal role of traditional means of communication to reach the EU population. The bureaucratic side of the EU felt comfortable with this means of communication. Therefore, communication with the regional media was enhanced despite its flaws.

This top-down tendency ended when Jean-Claude Juncker asked his special adviser, Luc Van den Brande, to issue a report on EU communications. The report was titled *Reaching Out to EU Citizens: A New Opportunity 'About us, with us, for us'*<sup>145</sup>. This report represents the emblem of the current EU strategy. Van der Brande's report introduced a clear audience-centric approach to communications.

<sup>143</sup> *Ibid.*

<sup>144</sup> D. S. SECRETARIAT-GENERAL, *TEXTE EN Communication à la Commission relative aux méthodes de travail de la Commission Communication de M. le PRESIDENT PROCÉDURE ORALE*, 2015.

<sup>145</sup> LUC VAN DEN BRANDE, "Reaching Out to EU Citizens: A New Opportunity «About us, with us, for us»", cit.

Van der Brande made relevant claims regarding the results of the 2014 elections as he connected the concerning rising results of populist parties with the legitimacy of the EU in the eyes of the electorate. As Van den Brande puts it<sup>146</sup>,

Political analysis of recent election results suggests that a significant proportion of voters worry deeply about the domestic effects of EU membership, as they perceive their lives to be in the hands of an ‘alien’ ruler. As a result, the Union’s delivery, democracy and destiny — all of which are strongly interrelated — are being questioned like never before. The EU needs to redouble its efforts to earn renewed legitimacy in the eyes of the European electorate.<sup>147</sup>

Van der Brande’s main statement is a call to “winning hearts and minds” which would be based on an “emotional engagement” with the Union<sup>148</sup>. He states that there is not enough with a mere acknowledgement of the Union or with the acceptance of its existence, yet an active emotional engagement is necessary for this two-way communication to take place. The EU tends to present itself as a rational entity based on objective facts and figures and avoids any sort of referents to emotions. The lack of explicit reference to emotions is presented as the death of the connection between young EU citizens and the EU. According to Van der Brande, the EU must speak and appeal to their emotions. This is the case because politics have a strong emotional component. Despite this call for emotional engagement, Van der Brande warns that this is not a call for populist claims not for propaganda but a call to build new bridges with this new strategy<sup>149</sup>.

The citizen-focused and citizen-owned Europe presented by Van der Brande advocated for the emphasis on online tools. Van der Brande expressed his awareness of the changing communication habits of the EU citizens as there is a generational gap. While traditional means of communication —enhanced by the actions of the Spokesperson Service —were mainly used by people aged 55 and over; for those aged under 40 the Internet was their main data source<sup>150</sup>.

It appears that since the EU wants to target young audiences, the institution decided to promote Von der Brande’s audience-centric approach rather than the top-down strategy initiated by the Spokesperson Service. Unidirectional approaches seem to work better with older ages while younger ages lean towards unidirectional approaches because they understand the bidirectional nature that e-participation tools have. In sum, this is the reasoning behind the overall trend of Juncker’s Commission to advocate for an audience-centric approach, which is contemporary with current changes in customer satisfaction.

Finally, the strategic plan 2016-2020 mentions an array of tools that were enhanced throughout Juncker’s Commission, emphasizing the Citizen’s Dialogues. The report emphasised the importance of the Citizen’s Dialogues as an interactive tool that allows citizens to speak up. More importantly, Juncker manifests its willingness to further integrate the citizens’ opinions into the decision-making process. Data from April 2019 extracted from the report *Citizen’s Dialogues and Citizen’s Consultations. Key Conclusions*<sup>151</sup> claims that Juncker’s Commission led to 1,572 citizens’ dialogues which took place in about 583 locations. This is a significant improvement compared to the data from years prior. Other communicative tools were considered to play an

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<sup>146</sup> *Ibid.*, p. 6.

<sup>147</sup> *Ibid.*

<sup>148</sup> *Ibid.*, pp. 6-7.

<sup>149</sup> LUC VAN DEN BRANDE, “Reaching Out to EU Citizens: A New Opportunity «About us, with us, for us»”, cit.

<sup>150</sup> *Ibid.*

<sup>151</sup> J.-C. JUNCKER, *Citizens’ dialogues and citizens’ consultations Key conclusions*, 2019.

increasingly important role at national levels. For instance, European networks, the representations in member states and Europe Direct Information Centres (EDICs).

## 1.5 Ursula von der Leyen (2019-2024) Audience-Centric Approach

Ursula Von der Leyen came into office in December 2019, the first woman to be in charge of the presidency of the European Commission. The historical context of this era encompasses the negotiations for Brexit; the 2019 impeachment of Donald Trump and the outbreak of the COVID-19 pandemic.

In December 2019, Ursula von der Leyen issued the report *A Union that Strives for More. My Agenda for Europe*<sup>152</sup>. In this paper, von der Leyen presented her six headline ambitions for her Commission. Those were the following: “the European Green Deal; an economy striving for social fairness and prosperity; a Europe fit for the digital age within safe and ethical boundaries; protecting the European way of life and values; a stronger Europe in the world and a new push for European democracy”<sup>153</sup>. According to the Strategic Plan 2020-2024 of the Directorate General of Communication, these priorities are the centre of attention of DG Communications. However, this report already included the impact of the COVID-19 crisis and claims that a corporate communication campaign for the Recovery Plan for Europe is currently being implemented: NextGenerationEU. This corporate communication campaign is aimed at both the COVID-19 effects and the enhancement of the European Green Deal and the digital transition.

Ursula von der Leyen aims at lengthening the audience-centric approach established by Juncker. Her statements regarding the communication strategy back up this audience-centric tendency: “I want to strengthen the link between people and the institutions that serves them, to narrow the gap between expectation and reality and to communicate about what Europe is doing”; “Europeans must have a say on how their Union is run and what it delivers on. This is why I believe we need a Conference on Europe”.

Not only von der Leyen herself but also the DG Communication statement included in the Strategic Plan 2020-2024 points towards a top-down approach. The DG communication is the following: “Listen – Advise – Engage DG COMM, as a corporate communication service, brings Europe closer to its citizens.” Furthermore, specific objective 5 from this report urges to create platforms for citizens to directly connect with the EU through face-to-face events or online events.

It is still too early to see the results of von der Leyen’s efforts towards European communications, especially due to the changes that the COVID-19 outbreak has had on both the Commission as such and on the DG for Communications. Despite the uncertain times of this period, it appears that von der Leyen will make top-down communications linger within the DG of communications, maintaining the actions started by Juncker’s Commission.

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<sup>152</sup> U. VON DER LEYEN, *A Union that strives for more My agenda for Europe*, 2019.

<sup>153</sup> *Ibid.*, p. 4.

## 1.6 Main Takeaways

The historical background presented in this paper has shown that there is a clear correlation between negative results from European parliamentary elections or referenda and a change in the communication strategy of the EU. The evolution of the communication strategy of the EU has involved fluctuations between top-bottom approaches and bottom-up strategies. The events triggering these changes have been the following: Firstly, the ratification crisis of the Maastricht Treaty resulted in *the White Paper on Communication and Democracy in Europe*<sup>154</sup>. The problems with the ratification of the Maastricht Treaty changed the informative unidirectional scope of EU communications into the bidirectional approach once enunciated by Sean Ronan in his speech to the Public Relations Institute of Ireland. However, the ratification crisis of the Constitutional Treaty and the economic crisis in 2008 meant a setback for EU communications. The EU excluded the bottom-up approach accomplished back in 2006 with the White Paper and regressed to a top-down approach. However, the European Citizen's Initiative followed, together with the comeback of the audience-centric approach led by Juncker's Commission. Von der Leyen is perpetuating this tendency and strengthening it.

The two main takeaways that this paper wants to highlight are the following:

- It appears that the EU should avoid the regression to top-down approaches since it goes against principles of public scrutiny and accountability. Providing a pivotal role in communications to the Commission while relegating the public view's as second class opinions is a strategy contrary to the most recent Commissions. Actions taken by Juncker and von der Leyen have been proven to be effective. Therefore, it appears that top-down approaches should be avoided.
- It seems that the EU is still paving the way to the full implementation of the current audience-centric approach. The EU is yet to achieve full implementation of this current communication strategy. Von der Leyen is expected to further develop the European bottom-up approach to communications.

## 1.7 A Word on Vulnerability

This section aims at highlighting the importance of acknowledging vulnerability as an intrinsic element of an international organisation. If an organisation is not able to embrace a possible future failure, this may result in on-demand shifts from top-down approaches to bottom-up approaches and vice-versa. Shifting the approach can be interpreted as a means to control the situation, leaving aside the feedback provided by EU citizens in referenda or elections. This essay reckons that this could have been the situation during the regression to the bottom-up approach during the second Barroso Commission. The Barroso Commission did not acknowledge the negative public

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<sup>154</sup> E. COMMISSION, *White Paper on a European Communication Policy*, cit.

response to the Constitutional Treaty. Instead, Barroso solely shifted the approach to communications to a top-down approach, disregarding the views of EU citizens.

Following Steve Job's model<sup>155</sup>, not only are start-ups design to adapt, change and create according to the feedback from their customers; start-ups are designed to accept vulnerability as part of a consequence of this willingness to be accountable to the public eye.

Vulnerability is not often seen as part of the values of a company as it is perceived as a synonym for weakness. However, vulnerability and courage are two sides of the same coin because a company cannot put their product out in the market without accepting that failure could take place. A company should be ready to accept judgement and criticism since that is what taking risks entails. There is no courage without vulnerability. As Brené Brown<sup>156</sup> puts it, "Vulnerability is the birthplace of innovation, creativity and change."; "Vulnerability is not about winning. it's not about losing. It's having the courage to show up when you can't control the outcome".

The EU has always wanted to control the outcome of its communication strategy. Whenever the EU communication strategy in place would not give the expected results, the EU would shift from top-down approaches to bottom-up approaches on demand. The EU should not present itself as a vulnerable institution, yet it should acknowledge that is open to process failure. Institutional vulnerability would involve sticking to the already effective strategy instead of engaging in endless fluctuations between top-down approaches and bottom-up approaches.

These fluctuations mainly took place when either parliamentary elections or referenda took place in the EU. The ratification crisis of the Maastricht Treaty led the EU to shift from top-down vertical approaches to communication to two-way bottom-up communications. This was a positive shift as communication theories advocate for bottom-up approaches. However, it was during the ratification crisis of the Constitutional Treaty that the EU shifted back to the top-down approach to communications. This could be read as the failure to acknowledge vulnerability and failure as a positive driving power towards enhancing top-down communications. Instead of understanding that failure is part of the nature of a political institution and embracing failure as a formative experience, the EU decided to regress to the old bureaucratic, institutional and traditional top-down approach to communications.

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<sup>155</sup> Please see section 3.1 on Internal Communications

<sup>156</sup> "Brené Brown: A Call to Courage", 2019, Retrieved March 21, 2021, from <https://www.netflix.com/watch/81010166?trackId=13752289&tctx=0%2C0%2C67effe504b6463df9e95f1b9ad7fe58ea20765e5%3A8c572b854650d7e87e06c8acdcd3d9279563609c%2C67effe504b6463df9e95f1b9ad7fe58ea20765e5%3A8c572b854650d7e87e06c8acdcd3d9279563609c%2Cunknown%2C>.

## 2. Legal Framework of the European Communication Strategy

This section presents the possibility that the legal framework regarding European values and communications —comprised in both the TEU and TFEU— only allows for an audience-centric approach for European communications.

### 2.1 The Treaty on European Union

Due to the inexistence of a separate legal basis for communication policy in the Treaty on the Functioning of the European Union (TFEU), policies related to communications fall under Art. 352 which deals with subsidiary powers of the EU and includes contingency clauses. These clauses provide legal grounds to act accordingly to the objectives laid down by the treaties when the latter have provided neither the scope *ratione materiae* nor the necessary powers to achieve those objectives<sup>157</sup>.

On the one hand, the Treaty on European Union<sup>158</sup> consolidates its democratic values in its articles 9,10,11 and 12. Article 9 presents the provisions on democratic principles and states: “the Union shall observe the principle of equality of its citizens, who shall receive equal attention from its institutions, bodies, offices and agencies.”<sup>159</sup> Once this principle of equality is presented, article 10.3 states that EU citizens have the right to participate in the democratic life of the Union, and adds that the decision-making process should happen as openly and closely to the citizen as possible. Article 10.4 claims that political parties should contribute to enhancing political awareness and to expressing the will of citizens of the EU. Article 11.1 mentions the importance of publicly exchange view between citizens and representative associations. Article 11.2 highlights words such as “open, transparent and regular” to describe the dialogue between representative associations and civil society. Article 11.3 encourages carrying out public consultations to ensure the coherence and transparency of the Union. Article 11.4 gives way to submit proposals to the European Commission on any action required for implementing the Treaties.

The audience-centric approach appears to be the sole approach enabling open, transparent and regular participation from the civil society. The presented provisions on democratic principles do not explicitly mention the words “top-down approach” nor “audience-centric approach”; however, it appears that in order to comply with articles 9; 10.3; 10.4; 11.1; 11.2; 11.3 and 11.4, EU’s communication strategy should remain audience-centred.

It seems that top-down approaches would not attain this open democratic dialogue as its vertical structure does not allow for the proactive communicative dialogues enounced in the Treaty on European Union. Top-down approaches could be outdated in this sense as it is a strategy based

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<sup>157</sup> K. A. ISKRA, “Communication policy | Fact Sheets on the European Union | European Parliament”, cit.

<sup>158</sup> TEU, *Consolidated Version of the Treaty on European Union art.*, 2008.

<sup>159</sup> *Ibid.*, p. 8.

on a hierarchical structure where the public views are relegated and perceived as second-class opinions.

In sum, it seems that in order to comply with the provisions on democratic principles comprised in the Treaty on European Union, external bottom-up communications should remain in force and any regression to hierarchical-based communications should be avoided.

## 2.2 Principles and Values of Good Governance

The core values of the EU comprise several principles such as the enhancement of economic, social and territorial cohesion; and the promotion of peace, the respect for human dignity and human rights, democracy, freedom, equality, and the rule of law, among others<sup>160</sup>.

One of its main principles is the following: the improvement of the transparency and democratic value of the European institutions. In order to fulfil this value, the EU encourages European citizens to contribute to EU democracy by providing their views on EU policies<sup>161</sup>.

The Directorate-General for Employment, Social Affairs and Inclusion published in 2017 the report *Quality of Public Administration. A Toolbox for Practitioners*<sup>162</sup>. This report elaborates on the transparency and democratic principle of the EU.

## 2.3 Other Relevant Provisions from the TEU

Although the Lisbon Treaty does not refer to communication policies as such, it does make references to participatory democracy and civil dialogues. The Lisbon Treaty's preamble urges to reinforce the legitimacy of the Union. Legitimacy in the public eye is one of the main challenges that the EU is facing regarding its communication strategies. In order to enhance such legitimacy, a series of e-participation instruments were laid down in order to improve EU citizens involvement<sup>163</sup>. Examples of those e-participation instruments are the following: The European Citizens' Initiative; Citizens' Dialogues; The Learning Corner; EU in my region, among others<sup>164</sup>. Article 11 of the Treaty on European Union (TEU) emphasises the importance of the efforts to give citizens and representatives associations the chance to publicly express their views in all areas of

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<sup>160</sup> EUROPA.EU, "The EU in brief | European Union", 2021, Retrieved March, 30 2021, from [https://europa.eu/european-union/about-eu/eu-in-brief\\_en](https://europa.eu/european-union/about-eu/eu-in-brief_en).

<sup>161</sup> *Ibid.*

<sup>162</sup> EUROPEAN COMMISSION, *Quality of Public Administration A Toolbox for Practitioners. Principles and values of good governance.*, Luxembourg, 2017.

<sup>163</sup> LUC VAN DEN BRANDE, "Reaching Out to EU Citizens: A New Opportunity «About us, with us, for us»", cit.

<sup>164</sup> DIRECTORATE-GENERAL FOR COMMUNICATION, "The EU in 2019 - Publications Office of the EU", 2019, Retrieved January 25, 2021, from <https://op.europa.eu/en/publication-detail/-/publication/66c4ad7e-6281-11ea-b735-01aa75ed71a1/language-en>.



the EU's action<sup>165</sup>. What is more, article 15 of the Treaty on the Functioning of the European Union (TFEU) gives way to open civil dialogues by ensuring the participation of civil society and by conducting their work as openly as possible<sup>166</sup>.

## 2.4 The Charter of Fundamental Rights

Although the treaties do not specifically target communication policies, the Charter of Fundamental Rights of the European Union frames the need for communication as a common value of the EU. Applicable articles range from Article 11 (right to information and freedom of expression as well as freedom and diversity of the media); Article 41 (right to be heard and right of access to documents relating to oneself); Article 42 (right of access to the documents of the EU institutions) and Article 44 (right of petition).

## 2.5 European Citizens' Initiative

One of the most consolidated channels of communications is the European Citizens' Initiative. This is one of the most important participatory instruments in EU democracy as it is supported by a consistent legal basis: article 11(4) of the TEU; article 24(1) of the TFEU; regulations (EU) No 211/2011 and 2019/788; rules 222 and 230 of Parliament's Rules of Procedures<sup>167</sup>. The concept of EU citizenship was introduced for the very first time in the Maastricht Treaty. However, it was not until 1996, in the preparation for the Amsterdam Intergovernmental Conference, both the Austrian and Italian foreign ministers put forward the idea of creating the right for EU citizens to submit initiatives to the European Parliament since they reckoned it would be a way to put the right to petition into practice. The idea did not reach the Constitutional Treaty, yet it was brought back for the Lisbon Treaty. A total of six initiatives have reached the Commission after accomplishing one million signatures<sup>168</sup>.

## 2.6 Conclusions on the Legal Framework

The legal framework regarding European Communications gathers the provisions on democratic principles of the Treaty on European Union; the regulations on the European Citizen's Initiative comprised of the Treaty on the Functioning of the European Union; and the Charter of

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<sup>165</sup> TEU, *Consolidated Version of the Treaty on European Union* art., cit.

<sup>166</sup> TFEU, *Consolidated Version of the Treaty on the Functioning of the European Union* art., 2008.

<sup>167</sup> A. DAVOLI, "European Citizens' Initiative | Fact Sheets on the European Union | European Parliament", cit.

<sup>168</sup> *Ibid.*

Fundamental Rights. The 2017 report *Quality of Public Administration. A Toolbox for Practitioners*<sup>169</sup> portrays and elaborates on the transparency and democratic principle of the EU.

Since top-down approaches would not comply with the TEU, it would appear that the second Barroso Commission regression to the top-down approach was going against these provisions on democratic principles. The ratification crisis of the Constitutional Treaty and the economic crisis in 2008 involved the reestablishment of top-down EU communications. The EU left aside the bottom-up approach accomplished back in 2006 with the White Paper and regressed to a top-down approach. This historical account reveals that this regression could be interpreted as an action against the TEU.

After briefly presenting the legal framework behind European Communications, this essay presents the possibility that the audience-centric approach to communications would comply with the legal framework of EU communications. The reason behind the preference for the audience-centric approach lays down on both the literature presented in this paper and European primary law. Both sources point towards this strategy as the most appropriate materialisation of the aims of the EU regarding European citizens and the legitimation of the EU in the public eye. On the other hand, top-down approaches would go against the legal framework of the Union. In order to prove that the bottom-up approach is the most fitted form of communications, two main questions are raised:

1. Is there agreement among the academics regarding both internal and external communication theory? Is this agreement pointing towards the audience-centric approach?
2. Is the EU implementing this audience-centric approach properly in the paradigmatic example of the European Citizen's Initiative? What are the challenges?

In order to answer question 1, the present essay looks at the internal and external communications theory.

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<sup>169</sup> EUROPEAN COMMISSION, *Quality of Public Administration A Toolbox for Practitioners. Principles and values of good governance.*, cit.

### 3. Internal and External Communications

This section upholds both internal communications and external communications as equally important regarding the application of an external bottom-up approach to communications. This essay defends the idea that working towards the top-down approach on both internal and external approaches is the only feasible pathway towards complying with the provisions on democratic principles states in the Treaty on European Union. Moreover, this appears to be the sole pathway to achieving legitimization and public accountability.

The EU's communication strategy aims at interaction, transaction, exchange, and linkage of the institutions of the organisation and its target audience<sup>170</sup>. Public sector communications and society play a remarkable role in strengthening democracy, organisational legitimacy, and the transparency of the institution. A public institution such as the EU has the responsibility to engage with its citizens and understand the pivotal role of dialogue in public sector communication. The EU must lean towards diversity and inclusion of all EU citizens in order to be portrayed as a highly reliable institution, able to meet the expectations of the EU citizens. In fact, PR applied in public administration institutions works because it helps institutions become familiar with the real concerns of the citizens and if well-executed, citizens trust the institutions. This healthy relationship is essential from the point of view of the communications field.

Moreover, if neither internal nor external communications do not work, neither does democracy. Without proper external communications, the voters are not aware of how the institution works; and neither do they have knowledge of the decisions taken on his behalf. Citizens cannot take full advantage of their rights and opportunities offered by democracy. Without all these elements in play, real democracy cannot take place<sup>171</sup>

EU communications functions in parallel with political communication. Despite the intention to make EU communications an independent field from EU communications, there is no doubt that political decisions break the boundaries between pure communications and political communications. This overlap should be understood in the following manner: EU communications cannot solve political problems as it is not its target. This essay, therefore, defends the idea that EU communications should remain an apolitical organisational part of the EU.<sup>172</sup>

#### 3.1 Internal Communications

On the one hand, internal communications constitute the core of the internal organisation of the institution. Traditional internal communications are based on pyramidal structures that have no room for adjustability or change. There is hesitation to change internal structures of public

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<sup>170</sup> M.-J. CANEL; V. LUOMA-AHO, "What Is Changing in Public Sector Communication?", cit.

<sup>171</sup> D. POCOVNICU, *Public Relations in Public Administration: Role and Management, in a Socio-Political Marketing Context*, cit.

administrations and this unwillingness to internal change negatively affects the public perception of public entities such as the EU. Public administrations must learn from the private sector since the latter is used to adaptability, creativity, and change. Private firms do not need to stick to strict bureaucracy, and this gives them space for trial and error. The private sector has set high bars in the eyes of the consumers in terms of the versatility and flexibility of the firms. These companies are wired for making a profit and current marketing theories point at consumer satisfaction as the number one concern to increase sales. Adaptability, change, and creativity are the main cornerstones of companies. According to Couto<sup>173</sup>, internal communications should constitute the main priority for public institutions because a proper internal organisation gathering marketing strategies is automatically projected into effective external communications if well executed. Couto<sup>174</sup> adds to this idea by claiming that public administrations should adopt the figure of *ad hoc* departments for communications. This is still not a widespread practice among public administrations<sup>175</sup>. On the other hand, the EU already has this *ad hoc* department: The Directorate-General for Communication<sup>176</sup>.

Several authors have written about internal communications. While most advocate for an audience-centric approach, some consider top-down approaches as the most appropriate strategy. On the one hand, according to B. Stark<sup>177</sup>, most employees appreciate top-down communication because it is the only way to ensure a productive work environment and avoid rumours or loss of trust in management. Top-down communications give relevance to messages delivered by the company's channels and reassure that these messages will not distract the employees nor waste their time nor overload them with unnecessary information. On the other hand, Couto presents the audience-centric approach as the most efficient approach to communications. According to Couto<sup>178</sup> the three most common mistakes when implementing internal communications are the following: firstly, understanding internal communications as a unidirectional pathway to transmit messages and leaving aside the active listening of the employees' opinions; secondly, accepting feedback but not allowing for more interaction among directorates —which would potentially increase the quality of this feedback —; thirdly, using internal communications aiming at persuasion rather than at establishing a proactive dialogue.

Despite these conflicting views that the literature provides, this paper advocates for a bottom-up approach within the EU because it parallels the strategy used in the private sector. This is the

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<sup>173</sup> *La importancia de la comunicación interna para la comunicación externa*, 2017, Retrieved March 21, 2021, from <https://analiticapublica.es/la-importancia-la-comunicacion-interna-la-comunicacion-externa/>.

<sup>174</sup> *Ibid.*

<sup>175</sup> *Ibid.*

<sup>176</sup> “The Directorate-General for Communication is the Commission department responsible for explaining EU policies to outside audiences. It keeps the Commission abreast of political developments and of trends in public opinion and the media. It also coordinates communication campaigns within the Commission.” EUROPEAN COMMISSION, “Communication | European Commission”, 2021, Retrieved March, 21 2021, from [https://ec.europa.eu/info/departments/communication\\_en](https://ec.europa.eu/info/departments/communication_en). For more information refer to section 1: Historical Evolution of EU's Communication Strategy.

<sup>177</sup> P. BARRON STARK, *Importance of Top-Down Business Communication*, 2016, Retrieved April 2, 2021, from <https://peterstark.com/critical-role-top-communication/>.

<sup>178</sup> B. COUTO, *La importancia de la comunicación interna para la comunicación externa*, cit.

case because, as it appears from the data, the bottom-up strategy is proven to perform successfully in the private sector. This statement is further developed in this section.

Internal communications play a crucial part in external communications due to two reasons: firstly, if internal communications are not coordinated properly, the integrity of the message will be affected; secondly, the reception of the message itself could be also compromised as the audience may not receive the message or may lose part of it<sup>179</sup>. As Philipp Clampitt<sup>180</sup> puts it,

Effective communication is the lifeblood of a successful organisation. It reinforces the organisation's vision, connects employees to the business, fosters process improvement, facilitates change, and drives business results by changing employee behaviour. No matter how you look at it, communication is an important part of the business landscape and cannot be taken for granted.<sup>181</sup>

External communications are based on trust, engagement, legitimacy, reputation, and satisfaction. However, as mention previously, the external communication strategy of any entity has its roots in internal communications. This is the case because external communications are mirroring the internal communications of a company. In the end, the staff of a particular company works to manufacture a product to then sell it to the target public. If the staff involved in the process does not work with the adequate internal communication strategy, the resulting product will not be saleable and external communications will fail. Misleading PR strategies may lead to good results with a bad product. However, this paper understands that creating a misleading PR strategy is not the objective pursued by the EU.

Private firms apply this audience approach to both their internal communications and external communications. Many famous private firms in the world follow a horizontal internal structure which allows for greater participation of both employers and employees. Steve Jobs, the CEO and co-founder of Apple Inc., described his own company as “the biggest start-up on the planet”:

One of the keys to Apple is Apple's an incredibly collaborative company. You know how many committees we have at Apple? Zero. We have no committees. We are organized like a start-up. One person's in charge of iPhone OS software, one person's in charge of Mac hardware, one person's in charge of iPhone hardware engineering, another person's in charge of worldwide marketing, another person's in charge of operations. We are organized like a startup. We are the biggest startup on the planet.<sup>182</sup>

The application of the horizontal internal structure in public administration is a difficult pathway because this process would put the institutionalisation of the EU at risk. One wonders if this would involve a counter-productive effect. While opting for a more ductile approach to the internal structure may contribute to greater participation and ductility of the Union, many would argue that these steps are putting the integration process at risk. However, if EU communications and EU politics were to be treated as two separate issues, it would make sense for the EU to adopt the private firm model as an innovative strategy to mirror what already works for the private sector.

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<sup>179</sup> *Ibid.*

<sup>180</sup> (cited in Couto, 2017)

<sup>181</sup> *Ibid.*

<sup>182</sup> NEMANJA JOVANCIC, “43 Steve Jobs Quotes on Business, Startups and Innovation”, 2018, Retrieved April 6, 2021, from <https://www.leadquizzes.com/blog/43-steve-jobs-quotes/>.

Although there is very little literature regarding the internal communication structure of the EU, the internal structure of the organisation sheds a light on its internal functioning. The EU is constituted by a series of institutions that work together to accomplish the general goals set by the Union in the Treaty of the European Union. The European Parliament, the Council of the EU and the European Commission are the three main institutions comprising the EU. Although they are different institutions, they work together to achieve the Union's aims.

An instance of a more informal internal structure is the tripartite meetings or trilogues. These are informal interinstitutional negotiations between representatives of the Parliament, the Council and the Commission on legislative proposals<sup>183</sup>. The main aim of the trilogues is to accelerate the ordinary legislative procedure by pre-negotiating legislative proposals in an informal manner<sup>184</sup>. The informal nature of this process was perceived as a lack of transparency. In order to avoid this lack of transparency, the EU officialised tripartite meetings in November 2012<sup>185</sup>.

Despite this instance of horizontal-like structures, this essay considers that trialogues are not enough to achieve the bottom-up approach that this paper advocates for. The internal structure of the EU appears to remain anchored in burdening bureaucratic processes. This undermines applying Steven Jobs' theory of horizontal organisations.

The fact that the EU is a highly bureaucratic institution also undercuts its chances to adapt to a more ductile internal structure. However, efforts similar to the trialogues could be extended to other areas of the institutions of the EU to establish a more pragmatic, bottom-up approach to the internal functioning of the EU. Improving and promoting horizontal communications among departments such as the creation of focal points for employees could lead to an improvement of this internal structure.

### 3.2 External Communications

External communications aim at establishing healthy interactions with the target audience<sup>186</sup>. According to Canel & Luoma-aho,<sup>187</sup> external communications could be defined as:

Goal-oriented communication inside organisations and between organisations and their stakeholders that enables public sector functions within their specific cultural and/or political settings, with the purpose of building and maintaining the public good and trust between citizens and authorities.<sup>188</sup>

The literature presents two distinct ways to approach external communications. The two different approaches are the following: top-down communications and bottom-up communications:

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<sup>183</sup> EUROPA.EU, "Interinstitutional negotiations | Ordinary Legislative Procedure | European Parliament", 2021, Retrieved April 2, 2021, from <https://www.europarl.europa.eu/olp/en/interinstitutional-negotiations>.

<sup>184</sup> M. GÓMEZ-LEAL, "El procedimiento legislativo ordinario en la práctica: los acuerdos en primera lectura", *Cuadernos Europeos de Deusto*, vol. 2, 2015.

<sup>185</sup> *Ibid.*

<sup>186</sup> M.-J. CANEL; V. LUOMA-AHO, *Public Sect. Commun.*, cit.

<sup>187</sup> *Ibid.*, p. 10.

<sup>188</sup> V. LUOMA-AHO; M. CANEL, *Handb. Public Sect. Commun.*, cit., p. 10.

- *External Top-down communications*: traditional and outdated communications strategy based on a purely hierarchical structure in which the institutions views play a pivotal role while the target audience is relegated and perceived as second-class opinions. This approach is unidirectional and purely informative where there is no room for conversation between the institution and the target audience.<sup>189</sup>
- *External Bottom-up communications*: Approach to communications consisting of building proactive communicative dialogues with the target audience which involves the establishment of the so-called bidirectional or two-way communicative channels to ensure inclusive participation. The audience plays an active role and establishes a communicative dialogue with the institution involving recurrent feedback.<sup>190</sup>

While top-down communications used to rule over any other approach to communications, this is not the case anymore. External communications used to follow a top-down structure, yet this tendency is not in place anymore. As Mary P.Follet<sup>191</sup> claims, institutions stopped holding power *over* citizens to transition towards holding power *with* citizens. Thijs & Staes<sup>192</sup> add to this argument by stating that public administrations “should be more responsible to society’s needs and demands”.

This transition from top-down approaches to bottom-up approaches occurred due to the rapidly changing citizens’ demands and expectations. Expectations from EU citizens on the EU grew exponentially due to the rise of the private sector. Citizens are currently engaging in fast pace working systems where clients can purchase any item immediately and remotely. This is a high bar to live up to and the public administration is struggling to fulfil the publics’ expectations<sup>193</sup>. The public administration is usually blamed for bureaucracy, slowness, inefficiency, and corruption. As a result, the EU is unable to keep up with the new expectations of public sector organisations. The public sector is still unable to establish a communication mechanism between citizens and the EU as sturdy as the one established by private firms. The private sector has given voice to the public eye and now receive constant and live feedback to improve, change or evolve their products by actively listening to their clients’ demands<sup>194</sup>.

These demands and expectations created the so-called communication gaps<sup>195</sup>. A communication gap is commonly thought of as the deficit taking place when the message intended by the sender is not properly understood by the recipient.

In order to close these gaps, external communications theory relies on a series of principles that structure public administration. These values or principles of how the public administration

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<sup>189</sup> M.-J. CANEL; V. LUOMA-AHO, *Public Sect. Commun.*, cit.; V. LUOMA-AHO; M. CANEL, *Handb. Public Sect. Commun.*, cit.

<sup>190</sup> M.-J. CANEL; V. LUOMA-AHO, *Public Sect. Commun.*, cit.; V. LUOMA-AHO; M. CANEL, *Handb. Public Sect. Commun.*, cit.

<sup>191</sup> Cited in J. C. THOMAS, “Citizen, customer, partner: rethinking the place of the public in public management. *Public Administration Review*.”, vol. 73, 6, 2013.

<sup>192</sup> Cited in M.-J. CANEL; V. LUOMA-AHO, *Public Sect. Commun.*, cit.

<sup>193</sup> *Ibid.*

<sup>194</sup> “What Is Changing in Public Sector Communication?”, cit.

<sup>195</sup> M.-J. CANEL; V. LUOMA-AHO, *Public Sect. Commun.*, cit.

should function are relevant for external communications because external communications must mirror said values and transmit them to the public eye. Popescu<sup>196</sup> conceptualises provides a list of principles or values that public administrations should follow. According to this author, the “principles of organising and functioning of public services” list as follows:

1. The principle of continuity: an activity must remain steady in time
2. The principle of reality: the public administration must be tangible and provide the results that the public eye demand.
3. The principle of quantification: the result of the institutions’ actions must have a tangible nature as well as being measurable.
4. The principle of permanent adaptability: the necessity to create a public administration that is directly under public control. The personnel can be changed for the sake of good management.
5. The principle of equality: discrimination is not allowed.

Both the principle of reality and the principle of permanent adaptability mention the figure of the public eye as more than mere spectators or passive members of the public administration. The principle of reality is implying that the public sector relies on the citizens as it needs to act on an on-demand basis. Moreover, the principle of permanent adaptability mentions the concept of “direct public control” which emphasises this pivotal role played by the citizens.

This essay defends that the “principles of organising and functioning of public services” can be one of the reasons behind the overall transition from top-down approaches to bottom-up approaches in public administration. This is because, in order to meet the public eye's expectations, only the bottom-up approach can establish the two-way channels necessary to comply with the principles. The top-down, informative approach would not allow for this public control that Popescu advocates for.

As well as the principle of organising and functioning of public services the theory of “intangible assets” also backs up the necessity of this external audience-centric approach to communications. The “intangible assets” of an organisation are the non-physical realities that increase the value of the organisation<sup>197</sup>. The competitive advantage of an organisation is based on intangible assets. They are elements that are under the control of the organisation since they are distinctive from other companies. Companies expect an economic profit out of these intangible assets. In other words, intangible assets are meant to enhance the flourishing of tangible assets. Many argue that this does not apply to the public sector because there is no market value involved in the public administration. However, some may apply. Relying on intangible assets can directly improve communication in the public sector<sup>198</sup>.

According to Canel & Luoma-aho<sup>199</sup>, the applicable intangible assets in the public administration are the following:

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<sup>196</sup> L. G. POPESCU, “Comunicarea în administrația publică, Editura Tribuna Economica, București”, 2003.

<sup>197</sup> M.-J. CANEL; V. LUOMA-AHO, *Public Sect. Commun.*, cit.

<sup>198</sup> *Ibid.*

<sup>199</sup> *Ibid.*



1. Satisfaction: the overall pleasantness of the public service experience.
2. Organisational culture: the extent to which the organisation is aligned with certain core principles.
3. Reputation: the overall impression of the organisation's past deeds.
4. Legitimacy: the acceptance of the organisation and its functions by the organisation's publics.
5. Intellectual capital: the extent to which an organisation manages knowledge well.
6. Engagement: the capacity of an organisation to get citizens involved in public administration processes.
7. Social capital: the capacity of an organisation to generate social cohesion.
8. Trust: the capacity of an organisation to be granted discretion in the use of public resources for the provision of public services within a context of uncertainty, and from which certain compliance emerges among other parties.

This author defends the idea that a public administration can only bridge the gaps between the citizens and the institution if the administration complies with these intangible assets. It is only through the completion of intangible assets that the administration can aim at generating the following tangible gains: authority, credibility, acceptance, stability, support, credibility, loyalty, certainty, effectiveness, trust, social cohesion, social support, accountability, legitimacy, sense of security and belonging, citizen collaboration, sense of community, resilience and empowerment.

If all these assets were addressed, the abovementioned tangible gains could contribute to the closure of communication gaps such as the following:

1. The gap between the one-directional and static nature of traditional public sector communication and the need to more effectively meet citizens' needs and changing expectations.
2. The gap between real achievements and people's perceptions.
3. The gap between professionals and civil servants on the one hand and ordinary citizens on the other.

The theory of the intangible assets is primarily aimed at filling gap number 1: a growing need to meet with citizens' expectations which are not being addressed by the traditional top-down approach. This paper concludes this section by advocating for the application of intangible assets in the external communications of the EU as justifies the transition from the top-down approach during the second Barroso Commission to the audience-centric methods started by Juncker's Commission and currently followed by von der Leyen. Closing the communication gaps would lead to what should constitute the ultimate aim for external communications: strengthening communication channels between the EU and EU citizens.

#### 4. The European Citizens' Initiative

The present section tackles the European Citizens' Initiative (ECI) as a paradigmatic example of the EU's audience-centric approach to communications. Among the current means of EU citizen participation, the ECI is a widely discussed instrument in the literature.

There is currently an array of available citizen-participation tools in the EU. The only two-way channel with the European Commission which is explicitly addressed in the primary law text of the EU is the European Citizens' Initiative (ECI). ECI allows citizens to submit proposals on EU legislation. EU citizens need to get the signatures of at least 1 million people from at least seven EU countries to be able to submit their initiative, as well as complying with an array of bureaucratic steps.

The consistent legal basis supporting this two-way channel has led to its consolidation as a solid means of conversation between EU citizens and the EU. As mentioned previously in this paper, the legal basis of this channel is the following: article 11(4) of the TEU; article 24(1) of the TFEU; regulations (EU) No 211/2011 and 2019/788; rules 222 and 230 of Parliament's Rules of Procedures<sup>200</sup>.

The initiative to create this channel was born in 1996 during the preparation for the Amsterdam Intergovernmental Conference. Both the Austrian and Italian foreign ministers put forward the idea of creating the right for EU citizens to submit initiatives to the European Parliament since they reckoned it would be a way to put the right to petition into practice. The idea did not reach the Constitutional Treaty, yet it was brought back for the Lisbon Treaty. A total of six initiatives have reached the Commission after accomplishing one million signatures<sup>201</sup>.

The provisions on democratic principles found under Title II of the TEU enriches the Citizens' Initiative. The democratic rights of political participation listed in the TEU are materialised in the Citizen's Initiative. The actual adoption of the text by the Parliament and the Council took place on 16 February 2011 yet it entered into force on 1 April 2011. A series of changes were implemented over the first years of this communicative channel<sup>202</sup>.

Despite the initial efforts to live up to the democratic provisions from the TEU, Glogowski & Maurer<sup>203</sup> claim that at the time ECI was not imposing legal obligations upon EU institutions. According to these authors, ECI was in a very weak stage of participatory democracy yet it was still seen as a prosperous instrument because it stimulated the participation of the citizens<sup>204</sup>.

Other authors such as Garcia & Greenwood<sup>205</sup> reckon that ECI has attracted public campaigners because this tool stimulates public debate and institutionalises a proposal. These

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<sup>200</sup> A. DAVOLI, "European Citizens' Initiative | Fact Sheets on the European Union | European Parliament", cit.

<sup>201</sup> *Ibid.*

<sup>202</sup> *Ibid.*

<sup>203</sup> P. GLOGOWSKI; A. MAURER, "The European Citizens' Initiative – Chances, Constraints and Limits", *Institute for Advanced Studies*, Vienna, 2013.

<sup>204</sup> *Ibid.*

<sup>205</sup> L. B. GARCIA; J. GREENWOOD, "The European Citizens' Initiative: A new sphere of EU politics?", *Interest Groups & Advocacy*, vol. 3, 2014, Retrieved April 4, 2021, from [www.palgrave-journals.com/iga/](http://www.palgrave-journals.com/iga/).

authors also mention the fact that ECI is making public campaigners relevant which would otherwise receive little to no attention. Furthermore, even if the proposal is rejected, it can now fall under a legal dispute before the European Court of Justice. Proposals linger in time and allow to play the politics of the EU.

There are concerns raised by authors such as Athanasiadou<sup>206</sup> regarding the regulation and application of the admissibility conditions of the European Citizens' Initiative. According to this author, the admissibility requirements concerning the purposes of an initiative should become clear before the collection of signature starts. As Athanasiadou<sup>207</sup> puts it,

When it is unclear whether an initiative falls or not within Union powers, a broad interpretation of the Union competencies would collide with the principle of conferral. Furthermore, not clearing from the outset admissibility issues might interfere with the principle of legal certainty or legitimate expectations, if citizens rely on the admissibility of the content of an initiative, while the Commission after the collection of signatures denies any possibility of action due to lack of competence, as it occurred in the case of the initiative *Right2Water*.<sup>208</sup>

Karatzia<sup>209</sup> contributes with relevant remarks regarding the democratic nature of ECI. This author led to the conclusion that the value of an ECI's proposal depended on whether the Commission considered it to be relevant to propose legislative acts. Moreover, if an ECI's proposal was going against the objectives or purposes of legislation that was recently adopted, then this proposal would not be considered. This situation would be going against article 10.2 TEU and Article 11.4 TEU.

In sum, the ECI was perceived as a proactive tool, an enabler for campaigns and debates yet it was still in a very early stage that did not imply enforceable provisions. This facultative nature was heavily criticised. Moreover, the admissibility requirements usually remain unclear for the public campaigners and there is also a lack of direct contact with the EU in case campaigners have doubts regarding the process. Finally, the EU is thought to be going against democratic principles when denying proposals either because they are not relevant enough from the point of view of the EU or because they are going against recently adopted legislation.

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<sup>206</sup> N. ATHANASIADOU, "The European Citizens' Initiative: Lost in admissibility?", 2019, Retrieved April 4, 2021, from <http://european-convention.europa.eu/pdf/reg/en/03/>.

<sup>207</sup> *Ibid.*, p. 270.

<sup>208</sup> *Ibid.*

<sup>209</sup> A. KARATZIA, *The European Citizens' Initiative And The Eu Institutional Balance: On Realism And The Possibilities Of Affecting Eu Lawmaking*, 2017.

## **Conclusions**

Missteps might have been taken in European communications by the European Commission during times of political adversity. This was the case of the regression to the top-down approach after the failure of ratification of the Constitutional Treaty. This regression meant considering the public views' as second class opinions. The Barroso Commission did not acknowledge the negative public response to the Constitutional Treaty. Instead, Barroso solely shifted the approach to communications to a top-down approach, disregarding the views of EU citizens. This paper advocates for enhancing and improving the bottom-up approach to communications while excluding the top-down approach. The latter goes against principles of public scrutiny and accountability. The bottom-up approach is believed to be the most feasible option to address European communications.

The top-down approach to both internal and external communications appears to be the sole appropriate method to comply with the general principle on transparency and democratic values of the EU; articles 9; 10.3; 10.4; 11.1; 11.2; 11.3 and 11.4 (TEU) regarding specific democratic principles; articles 11, 41, 42 and 44 of the Charter of Fundamental Rights; article 11(4) of the TEU; article 24(1) of the TFEU; and regulations (EU) No 211/2011 and 2019/788; rules 222 and 230 of Parliament's Rules of Procedures —regarding the European Citizens' Initiative regulations —.

The top-down approach on both internal and external communications is the only feasible pathway towards complying with the provisions on democratic principles stated in the Treaty on European Union. Moreover, this appears to be the sole pathway to achieving legitimation and public accountability.

Regarding internal communications, most academics lean towards the bottom-up approach as the method which allows for greater participation of both employers and employees. The EU already has horizontal-like structures such as tripartite meetings. However, efforts similar to the trialogues could be extended to other areas of the institutions of the EU to establish a more pragmatic, bottom-up approach to the internal functioning of the EU.

Regarding external communications, the top-down approach should remain in place in order to meet the rapidly changing demands and expectations of the citizens. These demands created communication gaps between EU citizens and the EU. Addressing intangible assets such as satisfaction, reputation, legitimacy, engagement and trust, among others contributes to the closure of communicative gaps.

The European Citizens' Initiative (ECI) is a paradigmatic example of the European Commission's audience-centric approach to communications. It is concluded that the ECI is perceived as a proactive tool, an enabler for campaigns and debates, yet it is still in a very early stage as it appears not to comply with the democratic provisions of the TEU. The admissibility requirements usually remain unclear for the public campaigners and there is also a lack of direct contact with the EU in case campaigners have doubts regarding the process.

In sum, this paper urges to

- Enhance and improve the bottom-up approach while excluding top-down approaches since the latter goes against principles of public scrutiny and accountability.
- Consider the top-down approach to both internal and external communications as the sole appropriate method to comply with the primary law of the EU.
- Boost efforts similar to the trialogues in other areas of the institutions of the EU in order to establish a more pragmatic, bottom-up approach to the internal functioning of the EU.
- Embrace intangible assets such as satisfaction, reputation, legitimacy, engagement, and trust, among others. These should be addressed by following the audience-centric model. This way the EU might be able to contribute to the closure of communication gaps.
- Enhance audience-centric tools such as the European Citizens' Initiative (ECI) in order to make them fully comply with the democratic values of the EU.

This paper has aimed at opening a dialogue on public sector communications and at highlighting the importance of addressing communications as a pivotal issue within the EU. The public administration has been blamed for bureaucracy, slowness, inefficiency, and corruption. This has potentially worsened the relationship between the public sector, and its target audience, the citizens.

The EU is a political actor which is faced with public scrutiny on a daily basis. Communications cannot solve political issues of the EU but rather mirror the EU's actions and transmit EU decisions to the public. European communications cannot solve economic, social, political or environmental problems yet it can shed a light on the promotion of identity, integration and democracy.

While EU citizens own the right to access information about the public bodies of the EU, citizens still struggle to establish active means of communication between the EU and themselves. European communication is a complex issue as the EU is an institutional multi-level system. The complexity of the internal system of the EU is perceived as far too complicated by the EU citizens; the simplification of the treaties has not been properly addressed, making it harder for the average EU population to fully understand the legal basis of EU law; and the language policies are still not able to address the clear dominance of English over the rest of EU languages.

Despite its complexity, communications are relevant for international relations fields since the communication strategy of the EU affects the legitimacy, accountability, and democratic nature of the institution. Effective communication may lead the institution towards reassuring its legitimacy in the public eye.

Other questions may be raised when considering the EU's communication strategy:

If the EU is already having trouble communicating with EU citizens, can they do a good job communicating with countries from the Eastern Partnership (EaP) or the European Neighbourhood Policy (ENP)? These relations with third countries have been considered utilitarian policies that have little to do with the promotion of democracy and a lot about migration control. Can we think

about third countries relations if we are portraying the EU as a political union when it is in fact acting as an economic union?

Are the requirements of the European Citizens' Initiative too strict to comply with the democratic provisions of the treaties? The ECI requires one million people from at least seven EU countries to be able to submit an initiative. Is this the most democratic option to channel the citizens' views to the European Commission? Should individuals have the right to submit their initiatives without this vast support?

This paper believes that there is a need for an increased understanding between the EU and EU citizens by enhancing the audience-centric approach to communications. The top-down approach is the ultimate pathway to close communication gaps and to strengthen communication channels between the EU and its citizens.

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