

Expert Group on the Citizens' Initiative

Assessment of ICT impacts of the Regulation (EU) No 211/2011 of the European Parliament and of the Council of 16 February 2011 on the citizens' initiative

15 June 2015



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Context

Assessment of ICT implications of the ECI Regulation



Context

From a piece of legislation to its implementation



1 09.05.2012 First ECI: Fraternité 2020, on EU exchange programmes

2 17.02.2014 First successful ECI: Right2Water

3 06.10.2014: Kick-off ECI study



Context

Problems identification

Problem N°1:

- › **Difficulty to find suitable host providers** (lack of availability, high costs) for organisers vs. **high cost for the Commission to host ECI and no clear legal basis** to this temporary solution.

Problem N°2:

- › **Time-consuming and complex process to certify** the Online Collection System for organisers.

Problem N°4:

- › **Non-harmonised data requirements** for signatories across Member States; as the validation process is performed on the basis of appropriate checks, in accordance with (heterogeneous) national law and practice.

Problem N°3:

- › Collection of sensitive data, the related **high IT security requirements** and the **liability of organisers** with regards to these data.



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Objectives

Scope of the study



Objectives

Scope of the study

- **Cost-Benefit analysis of the online collection process, as currently in place (“AS-IS”)**
 - **Scenario 1:** Original architecture of the online collection systems, as defined in the ECI Regulation and related Commission implementing Regulation (hosting by the organisers, software developed by the Commission (**Scenario 1a**) or any other software (**Scenario 1b**));
 - **Scenario 2:** Temporary solution proposed by the Commission (hosting by the Commission, software developed by the Commission).

- **Production of a comparative analysis**
 - **Analysis of the main advantages and disadvantages of existing online collection solutions** used by citizens' initiative or e-petition instruments at European and national level and other existing market solutions.

 - Identification of **aspects to further explore** in the context of the ECI



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Cost-Benefit analysis

From the methodology to key findings and conclusions



Methodology

Data collection methods used for the Cost-Benefits Analysis

➤ From literature review to interviews

Literature review



- ECI Regulation (EU) No 211/2011
- Commission Implementing Regulation (EU) No 1179/2011
- ECI - First Lessons of Implementation (study carried out by the European Parliament)
- Conclusions of the own-initiative inquiry carried out by the European Ombudsman
- Hosting agreement between the European Commission and ECI organisers
- ...

Interviews



- 15 interviews** conducted with:
- DG DIGIT.B.2, C.2 and C.3,
 - 2 MS authorities competent for certifying the Online Collection Systems
 - 6 ECI organisers
 - 3 Civil Society organisations
 - 2 IT experts having supported ECI organisers
 - 1 software provider developing a software for the purpose of the ECI Regulation

Questionnaire surveys



- One questionnaire addressed to ECI organisers (**5 answers**)
- One questionnaire addressed to hosting providers (**11 answers**)

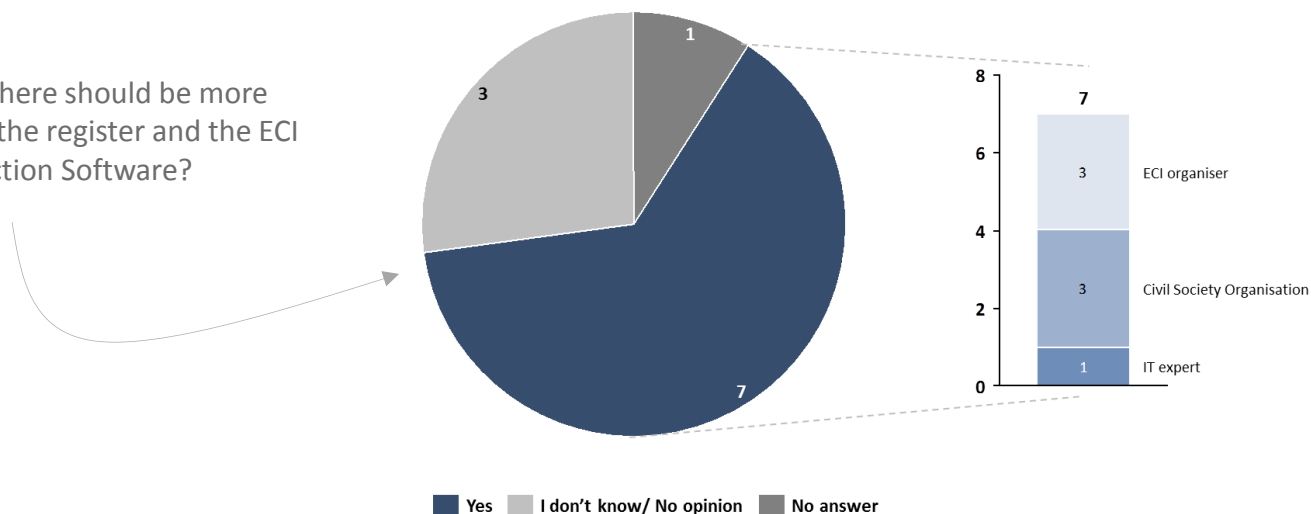


Key findings on the system components

The Register

- **Overall stakeholders are satisfied with the Register developed by the European Commission.**
 - Great tool to **enhance transparency** to all actors concerned in the implementation of the ECI;
 - ECI-related information presented on a **single centralised website**, in a uniform and consistent manner;
 - Information translated into **all EU languages**.
- **However, there should be more integration between the Register and the ECI Online Collection Software.**

Do you think that there should be more integration between the register and the ECI Online Collection Software?



Key findings on the system components

The ECI Online Collection Software

- **The ECI Online Collection Software developed by the European Commission has the following advantages:**
 - Already **set-up in compliance with the ECI regulatory requirements** (statements of support aligned with the data requirements of each EU Member State as set out in Annex III to the ECI Regulation).
 - **Free of charge** for ECI organisers.
 - **Only solution available** in the market for the purpose of the ECI.

- **However, it should be further improved to meet ECI organisers' needs.**
 - Its default **look and feel interface** should be improved by the European Commission
 - The **audio captcha system** should be made available in all official EU languages to ensure access to all citizens, including visually impaired people.

The Commission continues its work to improve its software and thus many among the improvements requested by the organisers have already been implemented in the version 1.6 of the software released in March 2015 (not used by the organisers interviewed).

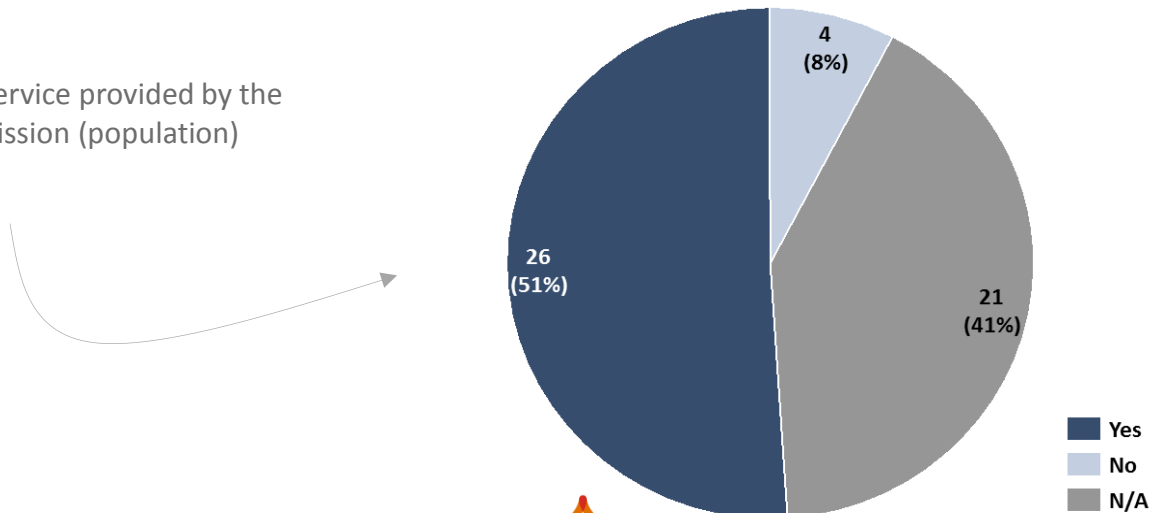


Key findings on the system components

Hosting of the online collection system

- **The hosting service provided by the European Commission was used by the majority of ECI organisers and appears to satisfy a wide community of ECI organisers.**
 - **Free of charge** for ECI organisers;
 - **Support** provided by the European Commission and/or the Luxembourgish authority competent for certifying the online collection systems;
 - **Guarantee to meet the ECI regulatory requirements** and that data are protected and securely processed.

Use of the hosting service provided by the European Commission (population)

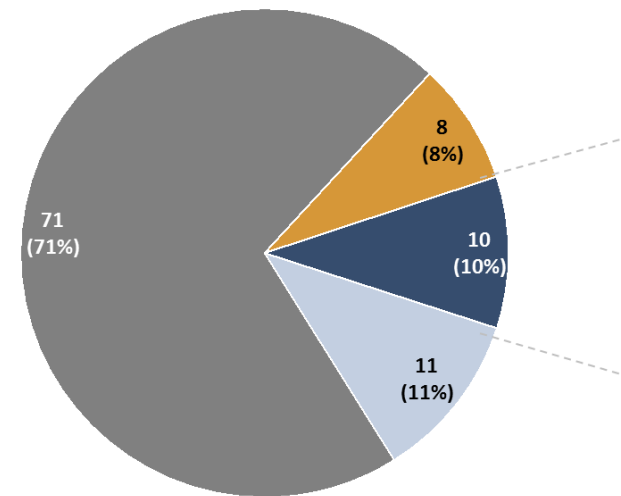


Key findings on the system components

Hosting of the online collection system

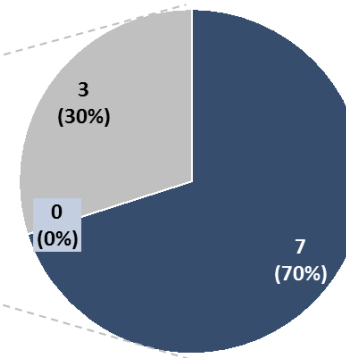
- **The results of our vendor consultation demonstrates a lack of interest from vendors on the subject and confirm the difficulties mentioned by ECI organisers to find a (suitable) hosting provider for their system.**

Are you interested in participating to the vendor consultation?



■ Yes (participated in the vendor consultation)
■ No (not interested in participating in the vendor consultation)
■ No answer
■ Out of scope

Have you ever been interested in hosting ECI online collection systems?



■ Yes
■ No
■ Don't know / No opinion



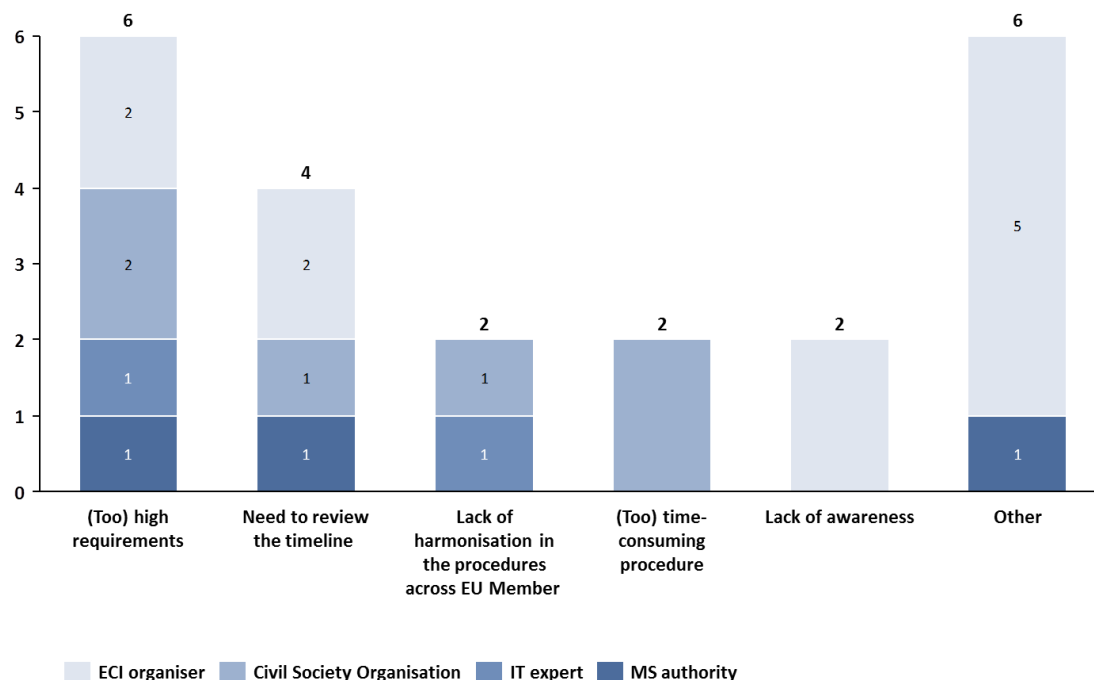
Key findings on the system components

Certification procedure

➤ **The certification procedure is not satisfying whether for national authorities or ECI organisers.**

- The significant amount of paperwork and administrative burden combined with the lack of expertise or IT skills from both parties results in a **very costly and time-consuming certification procedure.**

Please indicate any general comments you may have on the certification procedure

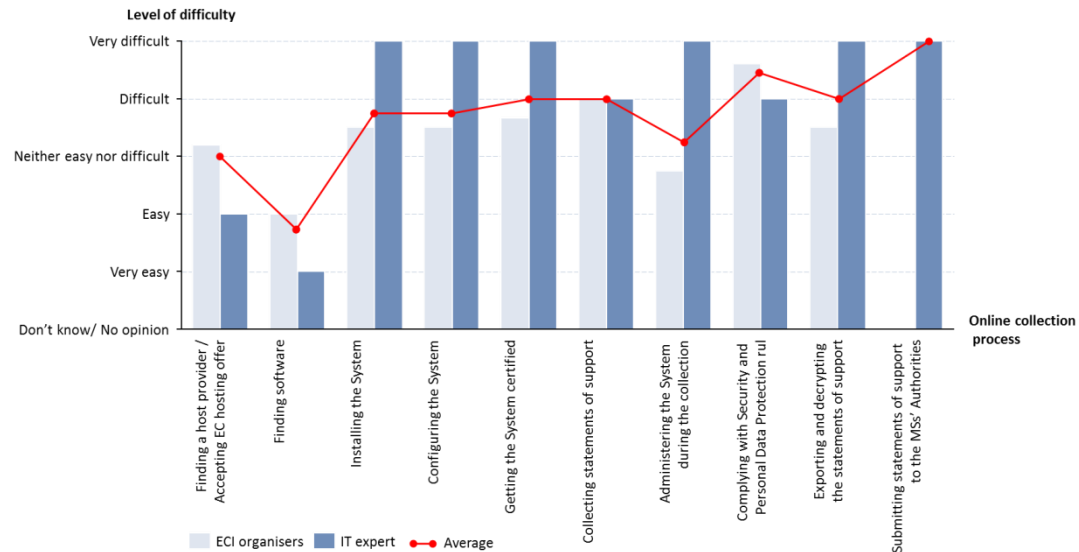


Key findings on the system components

Support

- **ECI organisers may be assisted before and during the online collection process.**
 - **IT skills and expertise are necessary for setting-up and getting an online collection system certified in all cases.** While the EC supports ECI organisers when they decide to host their system on the EC server, ECI organisers need external IT experts' support when they choose to host their system on private servers.
 - Civil Society Organisations tend not to provide support on the online collection process directly but mostly support ECI organisers on (i) **general information** on the functioning of the ECI; (ii) **legal advice** on the ECI legal framework and process; (iii) **translations** of ECIs; and (iv) **building network**.

Which part of the online collection process was the most difficult for you and why?



Conclusions on the baseline scenarios

Efficiency

- **Scenario 2 would be the least costly scenario to implement compared to Scenario 1, independently of the number of ECI online collection systems certified and hosted per year.**

Cost Category	Sub-category	Scenario 1 (one ECI)		Scenario 2 (one ECI)
		Scenario 1a	Scenario 1b	
Direct costs	Charges	€ 0	€ 0	€ 10,000
	- European Commission Ongoing costs (variable costs per ECI):	€ 0	€ 0	€ 10,000
	Substantive compliance costs	€ 155,259	€ 185,259	€ 118,284
	- ECI Organisers Ongoing costs (variable costs per ECI):	€ 10,000 - € 45,000	€ 10,000 - € 45,000	€ 0
	- European Commission Ongoing costs (variable costs per ECI):	€ 80,259	€ 80,259	€ 108,284
	- MS Authorities Ongoing costs (variable costs per ECI):	€ 30,000	€ 60,000	€ 5,000 - € 10,000
	Administrative burden	€ 6,000	€ 6,000	€ 1,500
	- ECI Organisers Ongoing costs (variable costs per ECI):	€ 6,000	€ 6,000	€ 1,500
	- MS Authorities	N/A	N/A	N/A
	Hassle costs	N/A	N/A	N/A
	- ECI Organisers	N/A	N/A	N/A
TOTAL	Direct costs	€ 161,259	€ 191,259	€ 129,784



Conclusions on the baseline scenarios

Effectiveness

- **Overall, Scenario 2 appears to be the favoured scenario with regards to effectiveness.**

Effectiveness can be defined as the extent to which the scenarios achieve the requirements stipulated in the ECI Regulation in terms of **increased benefits**. In the context of this study, benefits are assessed from a **qualitative perspective only**, as they cannot be quantified.

- **The effectiveness of each scenario was assessed towards each of the following criteria:**

- Improvement in the allocation of resources (availability of resources)
 - Improvement in the allocation of resources (responsibility of stakeholders)
 - Improvement in the allocation of resources (expertise of the resources)
 - Cost savings
 - Citizens' satisfaction
 - Benefits from third-party compliance with legal rules
- Improved market efficiency
- Additional citizens' utility, welfare or satisfaction
- Spillover effects related to third-party compliance with legal rules



Conclusions on the baseline scenarios

Overall evaluation of the scenarios

➤ Overall, Scenario 2 prevails over Scenario 1 both in terms of efficiency and effectiveness.

Scenario 1a	
Total Ongoing costs for 1 ECI (within a year)	★ ★ ☆
Availability of resources	★ ★ ☆
Responsibility of stakeholders	★ ★ ☆
Expertise of the resources	★ ★ ☆
Cost savings	★ ★ ☆
Citizens' satisfaction	★ ★ ☆
Benefits from third-party compliance with legal rules	★ ★ ☆

Scenario 1b	
Total Ongoing costs for 1 ECI (within a year)	★ ☆ ☆
Availability of resources	★ ☆ ☆
Responsibility of stakeholders	★ ☆ ☆
Expertise of the resources	★ ☆ ☆
Cost savings	★ ☆ ☆
Citizens' satisfaction	★ ☆ ☆
Benefits from third-party compliance with legal rules	★ ★ ★

Scenario 2	
Total Ongoing costs for 1 ECI (within a year)	★ ★ ★
Availability of resources	★ ★ ★
Responsibility of stakeholders	★ ★ ★
Expertise of the resources	★ ★ ★
Cost savings	★ ★ ★
Citizens' satisfaction	★ ★ ★
Benefits from third-party compliance with legal rules	★ ☆ ☆

FROM ★ Lowest score (least satisfying) TO ★★★ Highest score (most satisfying)



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Comparative analysis

From the methodology to key findings and conclusions



Methodology

Data collection methods used for the comparative analysis

➤ From literature review to interviews

Literature review



- Research on existing online collection solutions in the context of national/local citizens' initiative or e-petition instruments.
- Inventory of existing online collection of statements of support system software (study carried out by Deloitte in 2011)
- ...

Interviews



12 interviews conducted with:

- DG CNECT H.3 (eParticipation projects)
- 5 private operators having developed :
 - Open ECI
 - We Sign It
 - Petities.nl
 - Open Ministry
 - ePetitioner
- 6 Member States having or planning to have online collection solutions in place in the context of national/local citizens' initiative or e-petition instruments.
 - Référendum d'Initiatives partagées (FR)
 - www.kansalaisaloite.fi (Fi)
 - Parliament ePetition systems (DE, UK)
 - Danish online collection system (DK)
 - ePetition system Chambre des Députés (LU)



Methodology

Assessment criteria

➤ 11 comparative scenarios assessed towards 15 criteria.

1. Cost for end-users.
2. Technical solution in place for collecting statements of support.
3. Type of data collected.
4. Data validation process by public authorities.
5. Liability of the organisers towards the data collected.
6. Disclosure of and access to the data collected.
7. Ability to integrate the solution with campaigning websites.
8. Ability to integrate the solution with social media.
9. Ability to integrate the solution with a national/local database of citizens.
10. Possibility to combine both paper-based and online collection of signatures.
11. Ability to sign an initiative using an advanced electronic signature/ identification.
12. Accessibility.
13. Multilingualism.
14. Certification procedure.
15. Hosting.



Key findings on the comparative scenarios

Aspects to further investigate in the context of the ECI (1/3)

➤ **Technical solution in place for collecting statements of support.**

- All the solutions available at national level* allow the online collection of statements of support via a **central platform**, provided by the public authority responsible for the initiative.
- **One solution also allows the collection via (separate) private systems.** This option has not been implemented by organisers, at the time of the report

➤ **Type of data collected**

- Only 3 out of 11 solutions collect **signatories' identification number**; however 7 collect **other types of sensitive data**, such as the residence address or the date and/or place of birth.
- Only 1 solution does not collect any of this information and limits the data collection to signatories' email addresses and names.

* Solutions in the scope of the study.



Key findings on the comparative scenarios

Aspects to further investigate in the context of the ECI (2/3)

➤ **Data validation process by public authorities.**

- All the solutions* ensure a **minimum validation of the data** inputted by signatories (e.g. submission of an email containing a hyperlink to the signatories' email addresses to allow them to confirm their identity and support, methods in place to verify suspicious identities).
- The **data collected** by most of the solutions available at national level (4) and two solutions developed by private operators (2) are specifically **verified by public authorities** (comparison of the data collected with the information from the national Register).

➤ **Liability of the organisers towards the data collected.**

- In 5 out of 10 cases, **the public authority** responsible for an initiative (4) or the private solution provider (1) **bear all the responsibility for the data.**
- Organisers are liable towards the data collected and processed in 2 out of 10 cases.
- Liability is shared between organisers and authorities in the 3 other solutions.

* Solutions in the scope of the study.



Key findings on the comparative scenarios

Aspects to further investigate in the context of the ECI (3/3)

➤ Ability to integrate with social media

- 4 solutions (out of 6 that replied to this question) allow people to **share their petition through social media**, such as Facebook, Twitter or LinkedIn, while one allows signatories to feed their statements of support directly from their Facebook data (1).

➤ Ability to sign an initiative using an advanced electronic signature/ identification.

- Only 1 out of 10 solutions allows signatories to use an **advanced eSignature** to sign a statement of support.
- The **use of eidentification seems to be better implemented**, as it can be used by two solutions available at national level and one solution developed by private operators (and two soon).

➤ Certification procedure

- As for the majority of the comparative scenarios (7 out of 9) **the certification could occur on a regular basis**, varying between 1 and 2 years, or when a new version of the information system is released and take the form of an **audit** aimed to obtain evidence on whether the information systems are safeguarding assets, maintaining data integrity and operating effectively.



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Next steps

Revamping the ECI Online Collection System



Recommendations

Study on the ICT implications of the ECI Regulation

➤ **3 recommendations that do not necessarily need a change in the ECI regulatory framework:**

1. Integrate the ECI Online Collection Software and the Register (no full integration but links could be added under the current Regulation).
2. Continue to improve the ECI Online Collection Software.
3. Continue to encourage stakeholders' participation in the ECI process.

➤ **4 recommendations requiring changes on the ECI Regulation and related Commission Implementing Regulation N°1179/2011:**

4. A central platform should be made available to organisers as a permanent solution.
5. Review the online collection timeline.
6. Solutions to facilitate data entry and validation should be investigated.
7. Email addresses should be part of the data to be optionally provided when supporting an ECI.



Aspects to further investigate in the future

Study on the ICT implications of the ECI Regulation

➤ **New features on the ECI Online Collection Software:**

- i. User-friendliness on smartphones and tablets so as to then foster **signatures from SMS and social media**?
- ii. Signing up for **updates on an ECI**?
- iii. **Iframe** allowing citizens to sign the statements of support and organisers to customise the statement of support forms in the campaigning website?

➤ **Integration between the Register and the ECI Online Collection System:**

- i. Integration of both tools into a **single solution**?
- ii. Integration **through APIs**?
- iii. Option to **redirect signatories** from the Register to the signing page of the ECI Online Collection Software?



Aspects to further investigate in the future

Study on the ICT implications of the ECI Regulation

➤ **Hosting of the online collection system:**

- i. Use of the **European Commission servers** as a **permanent and unique** solution for the hosting service (impact on the certification procedure)?
- ii. **Possibility to host a system on private servers**, in parallel to the Commission hosting service (financing of the private systems by the European Commission)?
- iii. **Possibility to host on European clouds?**

➤ **Options for identifying a person (when collecting statements of support) while facilitating data entry and data validation in the ECI Online Collection Software**

- i. eSignature, eldentification, European Commission Authentication System (ECAS)?
- ii. Core Person Vocabulary to initiate these changes?

➤ **Staged-approach to collect data**



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Q&A





Questions ?





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