

Commission of the European Communities

Green Paper

On a European Citizen's Initiative

As Proposed by The Lisbon Treaty

Submission by

Councillor David Bremner

Landward Caithness Ward
Highland Council

1 Rockhill Road
Hempriggs, By Wick
Caithness, UK
KW1 5TP

Introduction

My name is David Bremner, I am twenty eight years of age and I am an elected councillor. The Local Authority of which I am a member is The Highland Council which comprises of eighty members.

On Highland Council I serve as one of the members for the Landward Caithness ward, which is generally a rural area with several villages, the population of the ward is 10,867. I am also the vice-chair of the Highland Council's Audit and Scrutiny committee.

I welcome the European Commissions Green Paper on a European Citizens Initiative as an opportunity to make the following submission. That being said, I wish to make it clear that I do not support the enactment of the Lisbon Treaty. I firmly believe that it will prove a wrong step for Europe and indeed the United Kingdom to have taken. I am also of the opinion that in Britain the European Union (Amendment) Act 2008 should not have been passed without the mandate of the British public by means of a democratic referendum.

This submission is made on behalf of my self; however, I am of the opinion that it is representative of the majority of my constituents and would be grateful if the European Commission would treat it as such.

I would like to confirm that I have no problem with this submission being made publicly available in any part of the European Union.

I shall address the points raised by the Green Paper in the order in which they appear in the European Commission's document.

1) Minimum number of Member States from which citizens must come.

In response to the question put by the Green Paper, I do not agree with the European Commission that one third of Member States would be an appropriate threshold from which citizens must come.

Firstly, I am of the opinion that the Member State Governments which ratified the Lisbon Treaty were misguided in stipulating the requirement for signatures to come from a 'significant number of member states'. A 'citizen' of one part of the EU is as important as one from another, however it is accepted that it is not possible through this regulation consultation to challenge the wording of the Treaty.

The document states correctly that a low threshold would render the initiative more accessible, it also says that this would be less representative. I am not in agreement with the latter point as the initiative would be representative of the individual citizens who had signed it, and a million or more signatures would represent a considerable weight of opinion regardless of its origin throughout the EU.

I am of the opinion that the threshold would suitably be set at four member states. This I understand is the minimum requirement of member states which can block a decision through the Qualitative Majority Voting system that the Lisbon Treaty extends to a range of competencies to be decided or co-decided by the European Council.

2) Minimum number of signatures per Member State.

To respond to this point I must take exception to the consultation documents view that a European citizen's initiative should have a genuine European flavour. If the initiative is properly related to the work and competencies of the European Union then it is not relevant that it should be of a 'European' nature. It is not suitable for the European Commission, who will be considering the proposal, to be swayed in any way by how 'European' a submission is. The EU is first and foremost comprised of sovereign Member States and this should always be respected by the European institutions.

Nothing contained in the Lisbon Treaty requires a minimum number of signatures to come from Member States, it is my opinion that if the requirement from the previous question is even nominally met, then the initiative should stand to be considered.

3) Eligibility to support a citizens' initiative – minimum age.

My response to this question is in agreement with the documents recommendation that the minimum age be set in line with the voting ages for European Parliamentary elections in individual member states. It would be important that individual Member States would retain the right to alter their minimum voting ages for elections and for any such change to be applied to the European citizens' initiative also.

4) Form and wording of a citizens' initiative.

The fourth matter raises a difficult question to consider. It must be recognised that the European Commission is in existence to serve the population and therefore any stipulation, through a European Regulation, that the initiative take the form of a draft legal act would be undemocratic in that it would undoubtedly prevent a large number of people from starting an initiative through not having the sufficient knowledge to put together such a proposal.

The matter of signatures being gathered on ambiguous proposals is also potentially damaging for the integrity of the citizens' initiative. Therefore I would agree that the submission should need to have a subject heading and objectives list with provision maintained for an explanation by the initiator that could be written in plain language.

5) Requirements for the collection, verification and authentication of signatures.

In response to this matter, my primary concern is that an undue level of bureaucracy risks being created around the verification of signatures. To this end, I am of the opinion that on a yearly basis the European Commission would need to publicise the

financial costs incurred by carrying out such processes that are eventually settled upon and that this be a matter for the European Parliament to consider and scrutinise. I would also hope that Member States' national parliaments would also be able to analyse such costs incurred in their own countries.

I am soundly of the opinion that there should not be any common procedural requirements set at the European Union level. Such harmonization would be unacceptable in its interference in Member States current procedures for dealing with petitions, etc.

I believe that Member States national parliaments should possess the exclusive right to set their own verification requirements. The European Regulation should though, in all fairness, stipulate the right of citizens to support an initiative regardless of their country of residence. Such signatures thus arising would still be verified however, in line with the national provisions for the country in which they were made.

The ability to register online support is also important. I am of the opinion that this should be done through Member States own Government websites. Therefore any provision on the European Commission or European Parliament websites should be via a link to the citizens host countries national Government website, for instance in the UK, the 10 Downing Street website would be applicable.

6) Time limit for the collection of signatures.

To respond to this matter I am not in agreement with the documents recommendation of a one year time limit. Such a limit would be unduly restrictive in allowing a sufficient campaign to gather momentum in relation to any particular issue. It is difficult to identify a particular time limit but I would submit five years as appropriate as it would be in line with the life of a European Parliament and fit with the maximum time allowed by the Lisbon Treaty for a President of the European Council to be in office. The five year limit for a citizens' initiative however, should not be tied to the specific dates that a European Parliament sits or a 'President' is in post.

7) Registration of proposed initiatives.

This issue should be addressed through consideration that democracy should always be supported at the grass roots primarily. It would be unacceptable that the unelected European Commission could rule out proposals from those they are paid to serve.

However, the principles of subsidiarity and national sovereignty are of the utmost importance and any legislative act proposed as a result of a European citizens' initiative would need to pass the tests set in relation to them.

I think a suitable approach would be for registration of initiatives to be approved by the Government of the Member State in which the particular initiative is begun. Attached to the initiative could be a statement from the relevant Member States' Government on why it considers the proposal suitable for registration. This could then be read by those considering signing, from wherever in the EU they come.

As such, a European Commission run, specific website, would not be necessary given the provision made by means of Member States' own domestic Government sites.

8) Requirements for organisers – Transparency and funding.

My response to this part of the Green Paper would be to underline the crucial provision that any individual person meeting the requirements set out in section three of my submission be able to start an initiative.

Unduly burdening such an individual with European Regulation on requirement to declare funding would be clearly a disincentive to the person concerned, thereby damaging the integrity of the process. Also damaging to the process would be use of public funds to either support or originate a proposal.

Private financial contributions of a significant size, however, to a campaign in relation to a registered initiative should need to be declared. I am of the opinion that any donation in excess of ten thousand pounds sterling from an individual or organisation would need to be registered for public view, in a document appended to the text of the citizens' initiative.

9) Examination of citizens' initiative by the Commission.

My response to this question would be that a time limit should be imposed on the European Commission to examine a properly submitted initiative. It would be damaging to the process if such submitted proposals remained undetermined for lengthy periods, thereby seeming to have been ignored.

The primary principle here should be remembrance of the fact that the Commission exists to serve the public. The proposed six month limit put forward by the Green Paper would, in my opinion, seem an appropriate period. Upon clearance of an initiative for consideration there should be reasonable effort made by the European Commission to contact all people who have signed the document thereby alerting them of the deadline for the Commissions response.

In addition upon receipt and approval for consideration of a citizens initiative, the European Commission, should formally send a copy of the initiative to the national parliaments of all Member States. This is in order that they, through their relevant committees', can begin to assess the proposals in line with the principle of subsidiarity.

10) Initiatives on the same issue.

This final matter is another important consideration. I am of the opinion that the nature of having to gather a minimum of one million signatures is sufficient enough to provide a reasonable check in relation to repetition and duplication. The potential nuances of difference between similar initiatives would be best considered by the individual wishing to sign. It would be sensible however, that similar proposals be grouped under general subject headings on a website for ease of comparison by those thinking of lending their support.

Conclusion

I respectfully ask the European Commission to consider the above as my submission to the Green Paper. I have welcomed the opportunity to contribute in this way, but should like to end by reiterating my deeply held concerns with regard to both the implications for the UK of our ratification of the Lisbon Treaty and the general processes across Europe that allowed it to enter in to force as EU law.

I remain of the opinion that it is effectively the same in majority part as the failed EU Constitution that French and Dutch voters rightly rejected.