

**European Alternatives response to the public
consultation on the Citizens' Initiative Green Paper**



European Alternatives
Taliesyn, Houghton Hill, Huntingdon PE282BS, UK
Registered number: 85223352533-24
www.euroalter.com

European Alternatives is a civil society organisation which is committed to working for greater democracy in Europe, both campaigning with national and European institutions as a target, and building active European citizenship 'from the bottom up'.

We welcome all opportunities for the public and civil society to contribute to political decision making. European Alternatives sees the introduction of the citizens' initiative with the Lisbon Treaty as a potentially useful tool for making European decision making more democratic.

Crucially missing from the consultation, in our opinion, is a question regarding the nature of the Commission's response to any citizens' initiative. If the Commission accepts the proposal, will it bring forward a law with the same wording as that used in the initiative, or will it formulate its own proposal? If the Commission rejects an initiative, how much explanation will be given, what possibilities will there be for the citizens to appeal or for a repeat initiative, and what role will the European Parliament be able to play? If the European Commission judges that the initiative falls outside of community competences, will it direct the citizens to the relevant competent authority, and will it address these authorities directly as the Commission? Without the answers to these questions or further information about the European Commissions' intentions in these regards, European Alternatives found it difficult to answer the questions that were posed as part of this consultation. In particular the role of the European Parliament, which represents all the European citizens and is the only directly elected institution of the European Union, is of importance in order to know to what extent the real reasons for rejection of an initiative can be publically known and challenged. The role of the European Ombudsman is also potentially of importance in this respect. We hope that these topics will be included in a future consultation.

European Alternatives responds below to a select number of the issues under consultation.

Minimum number of states from which the signatories must come

European Alternatives supports the resolution of the parliament that the minimum number of states from which signatories must come should be one quarter, on the basis of the analogy with the minimum number of states required for acts relating to judicial cooperation in criminal matters or police cooperation.

In the Green Paper it is argued that the logic of judicial cooperation and police cooperation is very different from that of a citizens' initiative.

European Alternatives believes there should not be one set of rules for the states and one set of rules for the citizens when it comes to proposing legislation. If a quarter of member states are sufficient to initiate a legislative process, then citizens from one quarter of member states must be sufficient as well, if what is important in both cases is the common European interest.

Notwithstanding this, it may well be that the Commission and the other European institutions which have an eventual decision-making power over any legislation issuing from a petition will take a petition with signatories from a greater number of countries as a stronger petition than one with signatories from a fewer or the minimum number of countries. This is in line with democratic principles.

Form and wording of the citizens' Initiative

European Alternatives thinks that there should be an advice service on the wording of citizens' initiatives which is independent from the European Commission, regardless of whether any required form or wording is decided upon. This advice service should also give council on the likely admissibility of a petition, without this advice being in any way binding.

This advice service may be a central bureau based in a single city (Brussels, for example), established in each member state or added onto existing services such as Europe Direct in each member state. It would be important in the latter cases that advice and wording given is consistent throughout the Union.

Requirements for the collection, verification and authentication of signatures.

European Alternatives thinks that it is of the utmost importance for there to be one common set of procedural requirements for collecting, verifying and authenticating signatures throughout the European Union. This is both so that the process is not confusing or inaccessible for citizens who may move between member states, to stop any forms of potential discrimination against foreign nationals in other European member states, and also to reduce the administrative burden on the organisations or individuals leading a citizens' initiative.

In addition, a common set of rules and procedures for citizens to address themselves to the European institutions is of importance for the feeling of common European belonging, and of being in a unified political public space.

It is important that the signatures are verified by member states in a timely fashion, and that a body external to the European Commission is responsible for making sure this is done. We suggest 3 months as a fixed time limit for verification.

Time limit for the collection of signatures

European Alternatives thinks that the best argument for there being a time limit on the collection of signatures is the following: taking too long to collect signatures would make it impossible to know if the people who signed first would still want to support an initiative if they were asked again the day it was submitted.

On the other hand, we are nervous about the European Commission introducing a time limit because a variety of different circumstances might mean that some citizens' initiatives are very slow to find signatures. These circumstances could include slow media take-up of the issue, or extremely difficult political contexts. An arbitrary time limit would not take into account the great variety of possible good reasons why some initiatives might take longer to reach 1 million signatures than others.

We suggest there should be a 'normal' time limit for the collection of signatures of 2 years, but there should be the possibility to appeal to an external body for an extension to this time limit if there are good reasons. Perhaps the European Ombudsman may be a suitable person to receive these appeals for extensions.

Registration of Proposed Initiatives

European Alternatives supports the compulsory registration of proposed initiatives so that transparency can be ensured. To avoid the citizens' initiative being exploited by corporate lobbyists or others, there must be transparency about the financial supporter of running campaigns to collect signatures.

European Alternatives is opposed to any kind of pre-selection of admissible initiatives by the European Commission. We think that there should be an independent body which gives non-binding advice on the likely admissibility of citizens' initiatives to those individuals and organisations which want to launch one, in order to facilitate the undertaking and to avoid to the greatest possible extent the waste of resources of organisations and individuals.

Requirements for Organisers – transparency and funding

European Alternatives agrees with the commission that it is of importance that it be made publicly known who is financially supporting a citizens' initiative and which organisations are helping to organise it. This information should be made public without compromising the privacy or safety of any individual who may be responsible for the organisation or funding a citizens' initiative.

In addition it is important to ensure that no payments to individual citizens are involved in collecting signatures for citizens' initiatives.

Examination of Citizens' Initiatives by the European Commission

European Alternatives agrees with the Commission proposal that there should be a time limit on the response of the European Commission to received citizens' initiatives.

It is important for the Commission to respond quickly so that the subject of the initiative is still politically topical, and in particular to give other European institutions, notably the European Parliament, a chance to respond to any Commission decision in the context of the topicality of the subject.

European Alternatives believes it is important for the Commission to justify its decision regarding an initiative both to citizens and to the parliament, and that this must be done in a fashion that allows for debate about the decision and comprehension of its motivations. The speediness of the decision is crucial for this process to be effective. This will promote public debate of European issues and the construction of a genuinely European public sphere.

Initiatives on the same issue

European Alternatives does not think there should be any restrictions on duplicate initiatives. It may be that a previous initiative is badly organised or under-funded, in which case a new initiative on the same topic would be appropriate. It may also be that different initiatives on the same topic have different means of communicating with citizens, or target citizens in different countries. The general rule should be that the European Commission regulates to the least possible degree the admissibility of initiatives, to prevent to the greatest degree any injustice.