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European Commission
Secretariat General
Directorate E "Better Regulation and Institutional Issues"
Unit E.1 "Institutional Issues"
1049 Brussels

Green Paper on a European Citizens' Initiative

COM(2009) 622 final

Contribution of the Young European Federalists (JEF)

Dear Sir/Madam,

You invited us to take position on the Green Paper on a European Citizens' Initiative. We thank you for providing us this opportunity and we are pleased to submit you our comments and suggestions.

General observations

JEF welcomes the European Citizens' Initiative (ECI) as a concrete tool to strengthen European democracy that can help develop the European common public space and civil society and bridge the gap between the European Union (EU) and its citizens.

As a supranational, politically pluralist youth organisation with about 30,000 members in over 30 European countries, JEF strives for a more free, just and democratic society on the European continent and therefore takes a strong stance in favour of a flexible ECI that maximises its use in order to allow European citizens to fully benefit from their European citizenship. To this end, the Commission's role is seen as the one of a legal facilitator and not a political evaluator of ECIs. It is up to the European Parliament only to decide whether to transpose a successful and legally valid ECI into European law or not and the examination role by the Commission should thus be limited.

Experiences in EU member states have shown that citizens' initiatives, if they are to be truly workable, need to be designed in a simple and practical way, as Commissioner Margot Wallström stressed when launching the public consultation: "the new democratic tool must be accessible, transparent and user-friendly". This is all the more necessary for a European Citizens' Initiative given its transnational character.



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

JEF can only support the proposition preferred in the European Parliament's resolution on the ECI, i.e. the number of seven supporting Member States (one quarter of Member States) since the threshold for ECIs must be as low as possible. Citizens of EU Member States are European Citizens regardless of the nationality they carry.

2. Minimum number of signatures per Member States

JEF reiterates that the ECI is related to European Citizenship and not to national Citizenship or residence. That's why a count per Member State could be seen as contrary to the genuine European flavour of the ECI. Nevertheless JEF recognises the fact that reaching a minimum threshold (eg 0,1%) in at least 7 Member States could ensure the supra-national character of the campaign and avoid that this democratic tool is misused for purely national issues or to defend national interest breaking the principle of subsidiary.

3. Eligibility to support a Citizens' initiative – minimum age

JEF agrees with the Commission position, i.e. linking the minimum age for supporting an ECI to the voting age for the European Parliament elections in accordance with the legislation of the different Member States in order not to compromise existing procedures.

4. Form and wording of a Citizens' initiative

JEF considers that it is sufficient and appropriate to require that a proposal for an ECI clearly states the subject-matter and objectives of the ECI because the ECI must have a low threshold and be accessible to all citizens. The Commission should include a list of non-binding recommendations for the clear formulation of the subject-matter and objectives of a proposal in the regulation. The Commission should also leave citizens the possibility to submit a proposal as a more detailed draft legal act and to this end clearly state the specific minimum requirements in the regulation.

Before officially registering a proposal for an ECI to the Commission, citizens should have the opportunity to send a draft proposal as a 'preliminary question' to the Commission asking feedback on its accessibility, such as the legal validity. The Commission should be able to reply within the time frame of three months.

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

JEF finds that a basic common set of procedural requirements is crucial to ensure the equality of rights between European Citizens without imposing unjustified additional administrative and regulatory burdens and costs. Member States can only put in place specific provisions at national level which cause no harm to the European character of the ECI and which do therefore not contradict the basic common set of European procedural requirements. The Commission should check whether the legal requirements (topic within the powers of Commission; respect of the Treaty and the European Convention on Human Rights) and practical requirements (number of signatures collected; number of countries involved) have been met whereas it is up to the Member States to deal with the administrative requirements (verification and authentication of the signatures). The initiators should have the right to challenge a rejection of validity before the European Court of Justice.

The procedure for the collection of signatures should offer easy access to Citizens residing outside of their home country, based on the experiences of the European Parliament elections. An obligatory physical presence in the country of Citizenship would represent a disproportionately high obstacle to sign an initiative.



Since the Commission is a strong promoter of the e-society, the collection of online signatures should be encouraged. The Commission should create a specific website on which ECI proposals are published and where on-line signatures can be gathered. In doing so, the Commission would facilitate broad and EU-wide participation for ECIs and ensure at the same time that the on-line signatures are collected in the most secure way possible.

6. Time limit for the collection of signatures

JEF is in agreement with the Commission's position of imposing a time limit of 18 months in order to both keep the relevance of ECI and accommodate the complexity of an EU-wide campaign. JEF stresses the fact that ECI is a new tool at European level that cannot be compared basically with national experiences because, once a citizens's initiative would be launched, it will take time to overcome language barriers and geographic distances and to create a pan-European debate on the topic. For this reason, JEF thinks that 18 months is a relevant minimum amount time. JEF reminds that none of the two informal ECIs, which succeeded to collect 1 million signatures on paper, managed to do this within 12 months.

This time limit should start from the moment of registration of the ECI.

7. Registration of proposed initiatives

JEF suggests that the ECI proposal be registered on a specific website provided by the European Commission. If no 'preliminary question' about the legal validity has been submitted by the organisers to the Commission and the Commission doubts the legal base of a proposal, it should have one month to check the legal requirements (topic within the powers of Commission; respect of the Treaty and the European Convention on Human Rights). This potential check of the admissibility is important in order to avoid the gathering of one million signatures for an ECI that could be declared inadmissible on the basis of legal requirements at the end. JEF shares the European Parliament's proposal for a check of formal admissibility to register an ECI proposal by the Commission on the condition that it can happen fast and at the very beginning of the process. If the EC checks the validity of an ECI, the period of 18 months should start only after the acceptance of the initiative by the EC.

Once registered the European Commission should also provide the translation of the signature text in the 23 official EU languages.

8. Requirements for organisers – Transparency and funding

JEF agrees that the organisers should provide information on their organisation in order to avoid initiatives by illegal movements and guarantee transparency as well as democratic accountability.

JEF agrees on the fact that organisers should present a report on the support and funding of the initiative, including the sources of funding as long as this bears has no impact on the registration or admissibility of an ECI.

9. Examination of citizens' initiatives by the Commission

JEF considers that the only task of the Commission is to examine the legal nature before the registration or within the first month after the registration of an ECI proposal as well as whether the practical requirements of a successful ECI have been met but not its political value or impact. That's why once the 1 million signatures have been collected, the EC should have 3 months to verify the signatures – and if necessary consult with MS – and then the proposal will be sent to the competent body for assessment.



Every legally valid ECI should be submitted to the European Parliament in its original format if the ECI proposal was registered as a draft legal act.

If the ECI proposal does not contain a draft legal act (when for instance only the subject-matter and objectives were stated), three extra months appear to be an appropriate deadline for the Commission to analyse how it will transform the ECI proposal into a legal proposal for the European Parliament. In this case, the organisers of the ECI should have a right to be heard by the Commission and be consulted if the Commission is making substantive changes regarding the content or scope of the original ECI as it was registered.

If the time limit of 18 months for collecting signatures is taken into account, the entire process of an ECI would take nearly 2 years, which is already a long time for citizens to wait to see the concretisation of their mobilisation.

The Commission cannot just ignore or turn down a legally valid successful ECI because this would seem arbitrary, lead to disappointment and widen the gap between the EU and its citizens.

10. Initiatives on the same issues

According to JEF, no specific requirements need to be invented. It should be possible for two or more ECIs to be simultaneously initiated, even if they tackle contradictory approaches to the same issue. This is part of the democratic process and should not constitute any reason for concern.

Furthermore as the Commission should provide an Internet platform with all registered initiatives, it's unlikely that two initiatives on the same issue with the same approach would be going in parallel due to the practical constraints.

Final remarks

- An evaluation of the procedure should be done at the end of the current mandate of the European Commission and the European Parliament, in order to take into account the possible burdens or problems identified during the first years of implementation.

- JEF wants to stress the importance of supporting European civil society (for example by the creation of the statute for a European association) in order to have successful ECIs. The implementation of this new tool requires a strong civil society regarding the necessary conditions to be fulfilled.

Thank you very much for considering our point of view in this consultation process.

Yours sincerely,

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