



Response to European Union public consultation on the European Citizens' Initiative

January 2009

Contact: Oliver Henman
Tel.: 020 7520 2550
Email: oliver.henman@ncvo-vol.org.uk

1. Introduction

1.1 The response is made by the National Council for Voluntary Organisations (NCVO), following dialogue with partners across ENNA (the European Network of National Associations for Civil Society).

1.2 The National Council for Voluntary Organisations (NCVO) is the largest general membership body for charities and voluntary organisations in England. Established in 1919, NCVO represents over 7500 organisations with members in every local authority area, from large house hold names to small groups operating at the local level. NCVO champions voluntary action, our vision is of a society in which people are inspired to make a positive difference to their communities. A vibrant voluntary and community sector deserves a strong voice and the best support. NCVO works to provide that support and voice.

1.3 The European Network for National Associations (ENNA) is a dynamic group of national umbrella bodies for the voluntary sector with partners from across Europe, from Portugal to Estonia.

1.4 This response sets out a broad set of principles which we believe should underpin civil society participation. It also directly addresses a number of questions set out in the consultation paper.

1.5 For further information on the issues covered in our response please contact Oliver Henman on 0044 7520 2550 or email oliver.henman@ncvo-vol.org.uk

2. Principles of participation in public decision-making

2.1 NCVO promotes good governance and transparent decision-making at the national and European level. It is essential for the voices of all citizens to be heard effectively by public authorities at all levels.

2.2 The Article in the Lisbon Treaty on Participatory Democracy is a useful step towards establishing greater accountability of the EU to the people of Europe. This Article enshrines a new type of process at the European level, that allows for more engaged citizenship and for a more transparent and accessible system. What is crucial for civil society is the recognition of the role of 'representative associations' including voluntary, community and non-profit organisations and the requirement for regular open dialogue.

2.3 In terms of the Citizens' Initiative, this is a very useful tool for voluntary organisations and their members to work together to get their issue on the EU agenda. To be successful the EC must provide a clear process of decisions to be undertaken by the EC on the basis of the Citizens Initiative. There should be an agreement for a response to the signatories within 3 months and a commitment to take the proposal forward to the relevant authority, within the European Commission or the Council of Ministers.

2.4 This response highlights some useful models from the UK, such as the No.10 Downing Street e-petition website, that has produced a high level of engagement of a wide range of citizens on topical issues:
<http://petitions.number10.gov.uk/>

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

Do you consider that one third of the total number of Member States would constitute a "significant number of Member States" as required by the Treaty?

If not, what threshold would you consider appropriate, and why?

One third is a reasonable proportion as a minimum but it may be worth considering a dual system to ensure different options, where the formula could be a sliding scale to offer the opportunity of breadth and depth of citizens across the EU.

This could range across a spectrum as follows:

- Minimum one third at 0.2 % for depth but limited breadth of countries
- Up to three quarters of all member states at 0.1% for breadth with more limited depth of countries

4. Minimum number of signatories per Member State

Do you consider that 0.2% of the total population of each Member State is an appropriate threshold?

If not, do you have other proposals in this regard in order to achieve the aim of ensuring that a citizens' initiative is genuinely representative of a Union interest?

0.2% of the total population is a useful measure to suggest a minimum basis of citizens. But it may be more useful to have a dual approach as already suggested:

- one third at 0.2 % for depth but limited breadth of countries
- three quarters of all member states at 0.1% for breadth with more limited depth of countries

5. Eligibility to support a Citizens' Initiative – minimum age

Should the minimum age required to support a European citizens' initiative be linked to the voting age for the European Parliament elections in each Member State?

If not, what other option would you consider appropriate, and why?

In this case, given that the intention is to raise participation in the European Union, it is best to provide a system that is as accessible as possible. The EU should operate a basis whereby people of all ages are able to take part. It would be beneficial to have youth engagement in this process.

6. Form and Wording of a citizens' initiative

Would it be sufficient and appropriate to require that an initiative clearly state the subject matter and objectives of the proposal on which the Commission is invited to act?

What other requirements, if any, should be set out as to the form and wording of a citizens' initiative?

There should be guidelines on the form of the petition, focused on a clear request for change. The language should be simple and accessible, action-oriented with a target timeline for the change requested.

It would be important to require that the recommendations fit specific guidelines, such as:

- a. non-party political;
- b. not aimed at private profit;
- c. not written in offensive or abusive language.

It would be unhelpful to require the form of a draft legal act as this would exclude a large section of the population, which goes against the spirit of transparent engagement.

It is useful to consider the guidelines on the UK government's No10 Petition website set up by mySociety.org

<http://petitions.number10.gov.uk/terms>

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

Do you think that there should be a common set of procedural requirements for the collection, verification and authentication of signatures by Member States' authorities at EU level?

It would make sense to balance this between the national and EU-level. The recommendation should be to be as open as possible to participants from all member states. As the Citizens' Initiative does not have a direct legislative power and is mainly a consultation tool, there should be ease of access without excessive regulation.

The easiest system would be to have a single EU-wide home page with links to national websites, the names should be collected centrally by an EU-wide website.

This process should be as simple as possible so individuals register on the website with name and postal address to enable ease of engagement. This could then be shared with national authorities for verification if necessary.

To what extent should Member States be able to put in place specific provisions at national level?

This should be limited, it would be best to have guidelines that apply across the EU to enable a closer joint debate on equal terms.

Are specific procedures needed in order to ensure that EU citizens can support a citizens' initiative regardless of their country of residence?

It would be useful to be as open as possible and to include all those who are affected by a policy. It would be best to provide an opportunity for people who are resident in a different country from their citizenship to be registered on an EU-wide list.

Should citizens be able to support a citizens' initiative online? If so, what security and authentication features should be foreseen?

Essential to establish this online, this will allow for ease of use, transparency and speed of results. The immediate showcasing of numbers of supporters would lead to a more exciting and dynamic process, such as has been used in the UK with the online votes on the POWER2010 campaign:

<http://www.power2010.org.uk/votes>

The authentication should be through registration. Verification should be carried out when a user is created; once the user is created it should be verified with a password.

8. Time limit for the collection of signatures

Should a time limit for the collection of signatures be fixed?

If so, would you consider that one year would be an appropriate time-limit?

This should be flexible, depending on the type of issue under discussion. The proposer of the initiative should be able to put forward a timescale.

It would be useful to have an upper time limit for collection of signatures of 2 years, 1 year is likely to be too short for an EU-wide campaign.

9. Registration of proposed initiatives

Do you think that a mandatory system of registration of proposed initiatives is necessary?

If so, do you agree that this could be done through a specific website provided by the European Commission?

A simple type of registration would be useful to ensure that the proposal has a realistic target within the remit of the European Commission, and that it fits with recommended language criteria (eg. that it is not offensive, that it is non-political, that it does not aim at private profit).

The information for each initiative should be available on an EU-wide website in all EU languages and the cost of translation should be carried by the EU in the interests of maximum engagement.

10. Requirements for organisers - Transparency and funding

What specific requirements should be imposed upon the organisers of an initiative in order to ensure transparency and democratic accountability?

Do you agree that organisers should be required to provide information on the support and funding that they have received for an initiative?

It is important to ensure transparency on both sides of this process. The organisers could be individual citizens or civil society organisations, they should be able to provide material to demonstrate the evidence for the petition to be accessible from the EU-wide website.

It is essential that the organisers are transparent about any support or funding they receive, private profit must not be an aim or by-product of any initiative.

11. Examination of citizens' initiatives by the Commission

Should a time limit be foreseen for the Commission to examine a citizens' initiative?

In order to demonstrate the importance of citizens' views, the EU should also be transparent in its response, specifying the steps taken to address the issue, outlining a timeline for action.

An initial response should be provided within 3 months, in a public communication to ensure that all the signatories and media are able to maintain an active public debate.

The communication should specify any further steps to be taken including impact assessments and studies on the proposed action, as well as recommendations on the specific bodies to be involved, whether specific Directorate Generals or further consultation with the Council of Ministers.

12. Initiatives on the same issue

Is it appropriate to introduce rules to prevent the successive presentation of citizens' initiatives on the same issue?

If so, would this best be done by introducing some sort of disincentives - or time limits?

It would be useful to ensure that potential initiatives put forward at a similar time may be grouped during the process of registration to follow a specific thematic debate. However this would require the agreement of the initiators of each initiative.

Beyond this, it should be left to citizens to decide if they wish to raise an issue over subsequent years. Changes in the level of response will demonstrate any changes in attitude.