

Consultation on citizens' initiatives

General observations

There is a tension between a legalistic approach and a more political approach. The legalistic approach is that every detail must be clearly defined and safeguards put in place against frivolous initiatives or ones that are not representative of the EU as a whole. The political approach is that it is highly desirable for a large number of citizens' initiatives to be made and acted upon, precisely to show citizens that they have a voice and that their voice is heard. It would be very harmful to the image of the EU if in five years' time few citizens' initiatives had been presented and fewer still had led to a new EU legal act. This would suggest that every effort should be made to encourage citizens' initiatives by setting up very quickly a simple and transparent system and keeping the formalities to a minimum and the basic requirements low.

It would certainly be damaging if a very large number of people did call for some action only to find that their call was rejected on what they might regard as purely technical grounds, or if the call was not answered for some years. It might also be damaging if it became apparent in time that the procedure was so demanding that only existing cross-border organisations (rather than ordinary citizens) were able to launch an initiative successfully.

A preliminary question concerns the interpretation of Article 11(4) of the TEU, and in particular the meaning of "invite". If it is interpreted as meaning that, once the basic conditions have been fulfilled for a valid citizens' initiative, the Commission is more or less obliged to respond, it would be justified to impose stricter requirements to ensure that the signatories are genuine, are EU citizens, are sufficiently representative and so on. If, however, "invite" is interpreted as meaning no more than "make a suggestion" then the requirements should be very weak indeed.

It may be hard to raise support from one million EU citizens across 8 or 9 Member States. To make it easier, there should certainly be a central registration system for initiatives on the Internet. Apart from the Commission itself (which might be seen as exercising too much control over the process), suitable hosts for such a site might be the European Parliament or a dedicated site on Europa or else a network of national websites. Provision should also be made for citizens who do not have access to the Internet, as well as for other means of communication already in existence or still to be developed.

It would be asking a lot of organisers of initiatives to produce a draft act themselves. In any case, they might be perplexed if the legal act that was finally adopted differed markedly from the original draft. It should be sufficient for organisers to state the subject matter and the objectives. Perhaps a standard template could be made available on the website and one of the EU institutions could provide a translation of the subject matter and objectives into all the other languages.

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