

**The Finnish Federation for Social Welfare and Health
Kotkankatu 9, 00510 Helsinki, Finland
Interest Representative ID No 65967893012-89**

Public Consultation - How should the new European citizens' initiative work?

Comments:

GENERAL REMARKS

The Finnish Federation for Social Welfare and Health (STKL) agrees with much of the proposals and reasoning presented by the Commission in the Green Paper, including the following:

- 0,2% of the total population of each Member State is an appropriate threshold (to be applied only to the minimum number of Member States from which citizens presenting a citizens' initiative must come)
- It is appropriate to link the minimum age required to support a European citizens' initiative to the voting age for the European Parliament elections in each Member State
- It is sufficient and appropriate to require that an initiative clearly states the subject-matter and objectives of the proposal on which the Commission is required to act. No other requirements should be set out.
- A time limit for the collection of signatures should be fixed and could indeed be that of one year. Time limit for the collection of names would start running as from the confirmation of the registration.

MINIMUM NUMBER OF MEMBER STATES FROM WHICH CITIZENS SHOULD COME

As regards the number of Member States that would constitute a "significant number" as required by the Treaty, the threshold should not be set too high. Therefore, STKL supports the view of the European Parliament that one quarter of Member States would constitute a "significant number of Member States" as required by the Treaty

REGISTRATION OF PROPOSED INITIATIVES

A mandatory registration through a specific website provided by the European Commission, functioning along the lines described in the green paper, would be appropriate.

The information to be uploaded on the registration website should also include the advice on where and how an interested person can sign the initiative (most importantly, address or link to the site/s for online signing).

As regards the admissibility check, STKL is of the opinion that no admissibility check should be carried out prior to the registration. However, we would like to point out that the framework of the Commission's powers is hardly sufficiently clear and known amongst ordinary European people. While organizers of a citizens' initiative can be expected to assess, before launching the initiative, whether it legally falls within the framework of the Commission's powers, in order to serve the ordinary citizens contemplating this option, the registration site should provide the basic information on the competence of the Commission.

On the other hand, the registration site should be protected from abusive and/or unlawful use. Therefore, after the registration, the Commission should have the right to remove from the registry a clearly abusive and/or unlawful initiative. This would be the case, for instance, if the initiative was in

obvious breach of the Charter of Fundamental Rights. The removal and its reasons should be made public by the Commission, either through the registration site or by other means.

REQUIREMENTS FOR THE COLLECTION, VERIFICATION AND AUTHENTICATION OF SIGNATURES

It would, indeed, appear that the most rational option would be to set a number of basic provisions at EU level, including on the one hand certain minimum requirements for verification and authentication of signatures and on the other hand obligations for Member States to facilitate the collection process and remove unduly restrictive requirements.

In this regard, the Finnish Federation for Social Welfare and Health underlines the need to aim at facilitating the collection of names online. This would not exclude the possibility to *additionally* also use other means of collection, such as circulation of name lists, if it was deemed appropriate and applicable in a particular Member State. In any case, requirements, whereby signing the initiative would require prior registration or that the names should be signed only in officially designated centers or in the presence of a verifying public official or a notary, are clearly excessive.

One might argue that it would be contrary to the free movement of persons to require that signing of a citizens' initiative could only take place in the country of nationality. Name collection online would best facilitate the signing of the initiative by persons, who reside outside of their country of nationality. It would also greatly enhance the possibilities of disabled persons to participate in the initiative.

Key points to be taken into account are, besides verification of the number of the signatures, the need to ensure that the signatures collected are authentic and that the personal data of the signatories is – apart from their name and place of residence – protected. The right and responsibility to verify the data should rest with the Member State concerned (country of residence, not country of nationality).

It is presumed that the current technology allows creation of a programme, whereby the signatories would be required to fill in sufficient data for verification purposes (e.g. name, address, other contact information), while at the same time such data would be neither visible on the website nor accessible to any unauthorized persons. Only the concerned authorities should have access to the full data. In any case, the information collected should be kept to the minimum, balancing the requirements of the verification and the need to protect the privacy of individuals. Technical solutions for additional safeguards protecting people's privacy should be explored.

EXAMINATION OF CITIZENS' INITIATIVES BY THE COMMISSION

The Commission should examine and give its response to the initiatives within a reasonable time-frame not exceeding 6 months from the date of its formal submission to the Commission.

The Finnish Federation for Social Welfare and Health

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