

Public Consultation on the European Citizens' Initiative - - Response from Janice Thomson, EU (French) citizen

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The European Citizens' Initiative (ECI) is a potentially excellent tool for bringing the EU closer to its citizens, educating citizens about the EU and advancing European democracy. Grassroots campaigners will have to work together across borders to define and promote a single common issue. Citizens will finally have a simple and concrete tool to express their policy wishes for the EU.

In order for the ECI to achieve these goals, however, rules governing its implementation must be citizen-friendly and take into account the considerable logistical, linguistic and cultural challenges of trans-national campaigning. If rules are unduly burdensome, rendering the ECI unusable by all but the largest and wealthiest organisations, the ECI could actually increase citizen distance from and cynicism toward the EU.

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

2. Minimum number of signatures per Member State

The European Citizens' Initiative is a non-binding agenda initiative to simply *suggest* that the Commission *consider* proposing new legislation on a specific topic. Therefore, beyond the one million signatures required by the treaty, the distribution of signatures by country should not present an additional burden - - particularly for smaller organisations sponsoring an ECI. The maturity of organised civil society, as well as citizens' familiarity with the concept of initiatives, varies widely within the EU. Importantly, only 12 Member States currently offer a citizens' initiative tool and in most of those countries it is rarely used. Furthermore, recent European citizens' consultations have demonstrated that knowledge of, interest in and relevance to citizens of issues varies widely across the EU - - even for issues such as climate change that clearly impact everyone. Tellingly, none of the 20 de-facto European citizens' initiatives organised to date, including those coordinated by large organisations, collected signatures from anywhere near 0.2% of the population of nine countries.

Requiring signatures from 1/3 of EU Member States (currently nine countries) imposes a significant barrier to the success of an ECI, especially when combined with the requirement of the *same minimum percentage* of the population from *each* of these countries. **Between 1/6 and 1/5 of Member States (currently five - six countries)** would be a more reasonable number.

Similarly, 0.2% of the total population is far too high a number to expect, especially from each of at least nine countries. In countries requiring signatures from 0.2% or more of the population, national citizens' initiatives are rarely used. The number of signatures required for the ECI, one million, is already equal to 0.2% of the total EU population. For these reasons, **0.05% of the total population** from each of the required minimum number of countries would be a more appropriate percentage.

3. Eligibility to support a citizens' initiative - minimum age

Since the ECI is a tool to allow citizens to influence the EU agenda during the long five year period between elections to the European Parliament, **the minimum age should be the same as that to vote in elections to the European Parliament.**

4. Form and wording of a citizens' initiative

The organisers of the ECI should be able to **choose between 1) a legal act and 2) a general proposition mentioning the goal of the legislation and measures to be introduced**. This is because the wording of the ECI will need to be understandable by regular people when translated into multiple languages. Furthermore, the organisers of the ECI should be given access to free and unbiased legal advice in their national language to assist with writing the initiative.

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

Signature collection should be done **freely in any location** - - e.g., not just in a government office. Witnesses should not be required. Signatures should be able to be collected in **both electronic and paper forms** - - such as websites, mobile devices, petition sheets and mail-in post cards.

All EU citizens should be able to sign an ECI regardless of country of residence. This includes EU citizens living outside of the EU.

It is very important not to set up excessively restrictive signature verification procedures which dissuade citizens from signing ECIs. This has made citizens' initiatives unusable in some countries. Only information necessary to verify that the signatory is an EU citizen old enough to vote and has signed the ECI only one time should be collected. This personal data must be protected and destroyed after verification. Verification should be done by Member States on a random sample basis.

6. Time limit for the collection of signatures

For a pan-European initiative, organisers should be given **18 months** to collect one million signatures. Collecting signatures from one million citizens across the EU can be extremely complex and time-consuming. In some cases, cross-border coalitions will need to be built from scratch and a campaigning culture introduced into a population unfamiliar with such an approach.

7. Registration of proposed initiatives

Yes. ECIs should be registered and made public on a common, multilingual website that is easily accessible to the general public. Additional information about the ECI's organisers, funding, status, follow-up, etc. should be included on this website. The ECI should also be published immediately after registration in the Official Journal of the European Union and the Official Gazette of the Member States.

In addition, prior to registration, the European Commission should evaluate each ECI to ensure that it:

1. Does not advocate a policy in violation of the European Union's Charter of Fundamental Rights.
2. Is not misleading or promotes commercial interests.
3. Can be considered *broadly* as within the competence of the European Union. Since treaty amendments are not specifically excluded in article 11.4, this would include topics that are of general European interest but would require a treaty amendment to implement. In national citizens' initiatives where amendments to fundamental law are forbidden, this is explicitly stated.

Only ECIs that meet these three requirements should be allowed to register.

8. Requirements for organisers - Transparency and funding

Yes. Full transparency is necessary in the organisation and funding of ECI campaigns. The names and addresses of the ECI organisation committee members should be made public as should the amounts, type and sources of both financial and non-financial assistance. This is very important to ensure that each ECI represents the genuine interest of citizens and is not used, for example, by business interests as marketing or indirect lobbying tools. At the same time, these transparency requirements should not present excessive administrative burdens to the ECI's organisers, particularly for smaller organisations and informal citizens' coalitions.

To encourage small, under-resourced organisations and informal coalitions of citizens to initiate ECIs, the Commission should consider providing reimbursement of some costs - - e.g., for translation, legal assistance, travel of organisers to cross-border meetings. For example, perhaps after a preliminary period in which the ECI campaign has proven its viability (e.g., organisers have collected 100,000 signatures from four countries in six months) some EU funding could be provided. Austria and Spain reimburse organisers of national citizens' initiatives for some costs.

9. Examination of citizens' initiatives by the Commission

Yes. Organisers and supporters of the ECI will want to know the outcome of their efforts within a reasonable period of time. Ideally, the Commission should indicate what steps it will take **within six months** of the submission of a successful ECI. In addition, the ECI's organisers should be informed earlier, within two months of submission, of the admissibility of the ECI on technical grounds (e.g., sufficient number of verified signatures).

There should also be clear rules as to the *process* the Commission must follow in responding to an ECI. This could include, for example, rules on the involvement of the organisers of the ECI in hearings and policy discussions, the use of additional consultations with citizens and/or stakeholders, how and when other European institutions are consulted, what recourse is available to the organisers of an ECI on which the Commission decides not to act, etc. This is important so that the organisers and supporters of the ECI will have realistic expectations for the ECI tool.

10. Initiatives on the same issue

No formal limits on ECIs on the same topic should be introduced. If anyone can consult a single, multilingual, easily accessible website which provides details of all registered ECIs, along with their complete history and current status, duplication should not be an issue.