

UK GOVERNMENT RESPONSE TO THE COMMISSION GREEN PAPER ON THE EUROPEAN CITIZENS' INITIATIVE

1. 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?

The UK agrees with the Commission that one third of the total number of Member States is an appropriate number to satisfy the requirement in the Treaty.

2. Minimum number of signatures 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?

The UK agrees with the Commission that 0.2% of the total population of each Member State is an appropriate threshold.

The UK notes that the Commission has taken the figures from the total number of citizens from a Member State, including those under the voting age, and third country citizens. The UK believes that the right to petition an initiative should be open to anyone, as long as they have the legal right to live, work or study in a Member State, since the laws the EU makes affect all such people.

The UK believes that the threshold must above all be achievable and therefore determined on the basis of the total number of those eligible to support an initiative. The 0.2% figure would therefore need to be lowered should eligibility for supporting an initiative be more restrictive than the UK proposes.

3. 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 election in each Member State? If not, what other option would you consider appropriate, and why?

The UK does not believe that there should be a minimum age required to support a citizens' initiative, and therefore does not believe that the same criteria should apply as with the eligibility to vote in European Parliamentary Elections. This is not a

citizen electing a representative on their behalf to scrutinise legislation in the European Parliament, which needs to have a uniform criteria; it is an active and direct participation to contribute in policy making at the grassroots, in which all citizens should be able to have a voice. For example, young people may want to petition for a new initiative in vocational education and training. The UK considers that limiting the reach of the Initiative would not be in accordance with the spirit of citizen engagement in policy formulation.

In addition, setting a minimum age requirement would go against existing approaches used in recent UK legislation (Local Democracy, Economic Development and Construction Act 2009), which specifically permits all local people, regardless of age, to sign and organise a petition to their local authority.

4. 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?

The UK does not have particular views on the detail of the form and wording, other than broad support for the Commission's proposal to request clear subject matter and objectives. However, the UK believes that there should be no barriers imposing any further restrictions on form or wording, i.e. a call for specific action should be sufficient.

5. 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? To what extent should Member States be able to put in place specific provisions at national level? Are specific procedures needed in order to ensure that EU citizens can support a citizens' initiative regardless of their country of residence? Should citizens be able to support a citizens' initiative online? If so, what security authentication features should be foreseen?

The UK does not believe there should be a common set of procedural requirements for the collection, verification and authentication of signatures. The UK believes that it should be left entirely and fully to the discretion of each Member State to consider what, if any, appropriate provisions should be put in place in this regard.

The UK believes that the eligibility to join an initiative should be as broad as possible. The UK takes the view that all people regardless of age, nationality and citizenship, should be able to support an initiative in the Member State in which they are living, working or studying.

The UK fully supports the ability for citizens to support an initiative on-line and believes that without the option to organise initiatives on-line, the proposal will probably be unachievable. The UK considers that it should be at the discretion of each Member State to decide on the security requirements of online petitions based on their own procedural requirements, but that each Member State should be required to submit a statement with the petition setting out what process, if any, was used to authenticate the signatures.

6. Time limit for the collection of signatures

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

The UK agrees with the Commission that 1 year is a sensible time limit for the collection of signatures.

7. 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?

The UK supports a mandatory system of registration, via a website provided by the Commission, but does not agree that there is no role for the Commission in deciding whether an initiative is within scope of its policy remit. The UK does not accept that the admissibility criteria of the Citizens' Initiative would be known across all sectors and the population of the EU. The UK also does not accept that organisers of a petition would have necessarily undertaken a full analysis of whether the initiative legally falls within the framework of the Commission's powers before launching an initiative. The UK considers it to be wholly outside the spirit of the measure, as well as a potential waste of public money in a Member State collating and checking details, if signatures were collected only for the Commission to declare an initiative out of scope at a later date.

The UK therefore strongly believes that the Commission must adopt a 'pre-petition check' in which it takes the responsibility of confirming with the organisers the eligibility of the proposal. The UK considers that this can be done without a guarantee that the initiative would ultimately be successful.

In addition, in order to ensure that Citizens' Initiatives are not permitted to undermine community cohesion in Member States and across Europe, it is imperative that the Commission, as part of the 'pre-petition check' the UK suggests, also ensures that discriminatory or inflammatory Citizens' Initiatives are not allowed to be generated. Furthermore, the UK believes that future proposals and subsequent legislation on Citizens' Initiatives should make explicit that these types of initiative will be invalid.

8. 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?

The UK does not consider that requirements should be too onerous, but that all bodies involved in organising support should identify themselves and that evidence of where financial support is coming from should be supplied.

9. Examination of citizens' initiatives by the Commission

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

The UK agrees with the Commission that 6 months is a sensible time limit to examine a citizens' initiative. The UK considers that there should also be a commitment from the Commission to acknowledge the initiative when submitted and set out the steps it intends to take during those 6 months. This could be done through the registration website and would increase transparency, and ensure that the citizens who supported an initiative know something is being done. The UK also agrees that the Commission should publish reasons for its proposed action.

10. 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?

The UK agrees with the Commission that both the registration process and time and cost involved would ultimately limit the likelihood of repeated initiatives. The UK does not therefore believe that additional rules are necessary, as there should be as few barriers as possible.