

Dear Madam / Sir,

I am writing to reply as a citizen and legal practitioner, in the field of private international law and public law, on the questions put in the Green Paper on the European Citizens' Initiative, which I welcome as a distinct achievement of the Lisbon Treaty.

My specific answers, with comments, are as follows:

1) I consider that one third of the total number of Member States would be an appropriate "significant number" especially since this criterion is combined with the number of signatures clause.

2) In my view, no minimum number of signatures per member state should be imposed, due to the existence of the criteria of number of states and number of signatures, which can, in practice, be achieved in many ways. However, I would propose another means to ensure the effective representation of a Union interest, namely that the signatures from each state of which the citizens sign the Initiative, should represent at least 7% of the total number of signatures received by the initiative [the percentage is arbitrarily chosen]. The idea is that such a test, combined with the other two, would ensure that every initiative represents a concern of either the citizens of a limited group of states, which support each other, or those of a group which is not state-defined, and, as "counted" in each state cannot attain a set proportion of that state's population. Whereas, at the European level, such a group would be able to express its concerns and initiatives, which might be of interest to the Union as a whole.

Example: the specific group of persons with a particular disability could, although not forming 0,2% of the population of several states, propose an initiative to regulate some accessibility provisions, which would be of interest to the Union as a whole.

3) I would consider that, in order to strengthen the unitary nature of the European political process, of the European democracy and the participation of the younger generation in European institutions and processes, the unitary age of 16 years, for any legal resident of the Union, should be the minimum age required to support a European citizens' initiative, regardless of the European Parliament elections rules applying locally.

4) I believe that there should be flexibility in the choice and wording of the subjects of the European Citizens' Initiative, both in terms of its scope [policy or concrete action], as well as its term of application [immediate steps versus longer-term goals]. Therefore, I believe that in the first instance, the drafting should be loose. There should be, in relation to form, a declaration of support from a [lower] number of representative organisations or a number of citizens, which would trigger help from the European Union on framing such an initiative from the point of view of European law.

5) There should be a unique registration system, at EU level, independent of Member State actions. I believe that online initiatives should be supported, although I would require some sort of identification mechanism to prevent double signature. For example, strongly protected forms could be used to verify one's uniqueness on the basis of name and personal ID number, *without* retention of the data at the moment after identification. Moreover, I would support postal signature, which would also be a good occasion to revive the idea of participation to democratic institutions via the post, and the culture of the written word. The possibility of participation in a European Citizens' Initiative should be guaranteed for all citizens of the EU, regardless of their country of residence.

6) No limit for the collection of signatures should be fixed. I believe that a "natural" expiry date will afflict all initiatives that do not gain the necessary momentum within 1-2 years.

7) I agree to both proposals, with the comments made on question 4, regarding supporting organisations and citizens and EU drafting help.

8) I agree that organisers should be required to state only whether their support comes from a political party, or from a non-governmental entity [i.e. corporations, foundations, religious institutions] financially supporting the initiative.

9) A time limit of 6 months should be set, extendable for up to 2 years in light of the initiative's scope, object and level of work required.

10) No measures to this effect should be taken. Initiatives which at first receive little support and are not acted upon at EU level, may, nevertheless, in the course of their presentation, attract more interest, and thus on a second presentation they might receive even more signatures, reflecting a genuine European wish for action.

I am willing to participate in further consultations on this matter.

Cordially,
Ioan-Luca Vlad