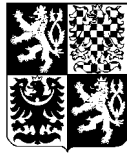


# THE PARLIAMENT OF THE CZECH REPUBLIC

## SENATE



7<sup>th</sup> term

### 500<sup>th</sup> RESOLUTION

### OF THE SENATE

Delivered on the 19<sup>th</sup> session held on 20 May 2010

on Proposal for a Regulation of the European Parliament and of the Council on the Citizens' Initiative

(Senate Press no. N 102/07)

#### The Senate

##### I.

###### 1. Takes note of

the publication of the Proposal for a Regulation on the Citizens' Initiative although it would prefer longer time enabling deeper reflection and processing of more than 300 contributions resulting from the consultation of the Green Paper on the European Citizens' Initiative;

###### 2. Notes with regret

that a brief and general reply of the Commission to the resolution of the Senate No. 411 to the Green Paper on the European Citizens' Initiative does not give a satisfactory answer to its concrete remarks regarding the Green Paper and does not explain the fact why the Proposal for a Regulation is leaning in certain aspects in a completely different direction than suggested in the resolution of the Senate No. 411;

##### II.

###### 1. Is concerned about the fact

that the Commission not only has not reflected the request of the Senate included in the Resolution No. 411 to increase the minimum number of signatories per member state but in the case of the Czech Republic the threshold has even been decreased to 0,16 % of its population, even if such a low threshold makes the promotion of minor opinions aiming at suppression of fundamental human rights and freedoms easier and it does not reflect majority political tradition in member states who, led by their experience, had set down a significantly higher threshold;

###### 2. Repeats

that it does not agree with the two-phase control system of admissibility of a citizens' initiative, with respect to citizens expectations resulting from a registration of the initiative and to wasting of material and human resources which could be prevented if the complete control of admissibility was executed even before the registration of the citizens' initiative;

### **3. Believes**

- that it is necessary to set in the Regulation that the decision of the Commission on the admissibility of a citizens' initiative could be reviewed by the Court of Justice according to the article 263 of the Treaty on the Functioning of the European Union;
- that the Regulation should include basic information, comprehensible for citizens, about procedural requirements for bringing a legal action;

### **4. Assesses positively**

that in comparison with the proposal propounded in the Green Paper the time limit for the examination of the citizens' initiative by the Commission and for the submission of a communication on intended measures was reduced by two months;

### **5. Does not deem**

the Annex I on the minimum number of signatories per member state to be a non-essential element of the legislative act according to the article 290 of the Treaty on the Functioning of the European Union and for this reason it does not agree with the fact that the power to amend this Annex could be delegated to the Commission, moreover for an indeterminate period of time;

### **6. Expresses its regret**

that the proposal does not meet in a sufficient manner requirements for transparent financing of a citizens' initiative and it does not ensure public access to such data, for instance by integrating with the data in the Register of interest representatives of the European Commission;

## **III.**

### **1. Requests**

the Government to inform the Senate about the way it has taken the Senate's opinion into account and about further proceeding of negotiations;

### **2. Authorizes**

the President of the Senate to communicate this resolution to the European Commission.

Přemysl Sobotka  
sign manual  
President of the Senate

Soňa Paukrtová  
sign manual  
Senate Verifier