

Courtesy translation



THE SENATE
OF THE PARLIAMENT OF THE CZECH REPUBLIC

11TH TERM

309TH

RESOLUTION OF THE SENATE

Delivered on the 11th session held on 6th December 2017

**on the Proposal for a Regulation of the European Parliament and of the Council
on the European citizens' initiative**

(Senate Print no. N 68/11, COM(2017)482)

The Senate

I.

- 1. Stresses**
that the European citizens' initiative represents a unique, significant and innovative instrument of participatory democracy which provides EU citizens with the exceptional opportunity to actively contribute to the democratic discussion and to influence the EU law-making process;
- 2. Welcomes**
the Commission's effort to identify and, in collaboration with the stakeholders, mainly with civil society, European Parliament and others, to eliminate some of the evident deficiencies of the current instrument;
- 3. Appreciates**
that fundamental features of the European citizens' initiative concerning the required number of supporters have been retained without changes since the Senate considers this setting to be balanced, in conformity with the framework of the EU primary law and necessary for articulation and finding the broad consensus for issues having a European dimension;
- 4. Expresses regret**
for the high number of initiatives the Commission has so far refused to register;
- 5. Is convinced**

that the reason behind the limited impact of the European citizens' initiative is the Commission's reluctance to make proposals for legal acts based on the initiatives supported by the required number of signatures in cases when the initiative does not reflect the Commission's own policies; the loss of interest of the European public in the instrument is a direct consequence of this;

6. Expresses regret

for the fact that the newly proposed Regulation on the European citizens' initiative does not impose the duty on the Commission to submit a proposal for a legal act to fulfil the objectives of the initiative;

7. Perceives negatively

the absence of a legal remedy which the organisers could use to review the Commission's decision in cases when the Commission does not submit a proposal for a legal act following from the initiative supported by the required number of signatures; it is possible to use such legal remedy solely in cases when the Commission decides not to register the initiative, i.e. at the beginning of the whole process;

8. Deems therefore necessary

to consider the role of the European Parliament in the process of the Commission's review of the initiative because it is the only institution whose members are elected directly by EU citizens;

9. Is of the opinion

that in cases when the Commission does not submit a proposal for a legal act following from the initiative supported by the required number of signatures within the 12-month period, the organisers should have an option to refer to the European Parliament with the demand that it exercise its right, after considering the initiative, to request the Commission to submit an appropriate proposal for a legal act according to Article 225 of the Treaty on the Functioning of the European Union;

10. Supports

maintaining the existing age-limit for signing an initiative that reflects the national legal provisions on the age-limit for the right to vote to the European Parliament;

11. Suggests

to specify the procedure for the verification of signatures on random sampling in accordance with Article 12(4) of the Proposal for a Regulation;

12. Considers objectionable

that Article 24 (Review) of the Proposal for a Regulation extends the time period to present the report on the application of this Regulation from three to five years;

II.

1. Requests

the Government to inform the Senate about the way this resolution was taken into account and about further development of negotiations once the political agreement of the required number of Member States on the main elements of the proposal is reached, or at an earlier time, should the results of negotiations in the Council begin to depart considerably from the position of the Czech Republic expressed in the General Position of the Government;

2. Authorises

the President of the Senate to forward this Resolution to the European Commission.

Milan Štěch
sign manual
President of the Senate

Michale Canov
sign manual
Senate Verifier