



EUROPEAN COMMISSION

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Dear Chair,

The Commission would like to thank the Národná Rada for its Opinion on the proposal for a Regulation of the European Parliament and of the Council on the European Citizens' Initiative {COM(2017) 482 final}.

Increasing democratic legitimacy in the European Union through stronger citizen participation is among the ten priorities of this Commission (Priority 10 – A Union of Democratic Change). The proposal on the European Citizens' Initiative is one of the actions adopted by the Commission on 13 September 2017, as part of the Democracy Package, to continue delivering on this commitment. Making the Initiative more accessible, less burdensome and easier to use for organisers and supporters will help the instrument reach its full potential to foster debate among citizens at Union level, and to bring the Union closer to them.

The Commission welcomes the Národná Rada's support for the European Citizens' Initiative and the measures contained in the proposal to identify and address some of the shortcomings in the implementation of the current instrument.

The Commission takes careful note of the concerns expressed by the Národná Rada as regards a number of elements of the proposal. The Commission is convinced that the provisions of the new Regulation will help to ensure a continued reduction in the number of initiatives which cannot be registered. These provisions build on concrete improvements already introduced under the current legal framework during this mandate. In particular, the Commission's practice of allowing, where justified, for partial registrations of initiatives has contributed to a sharp decrease in the number of initiatives considered inadmissible. As noted in the latest report on implementation of the European Citizens' Initiative, between April 2015 and March 2018 the Commission received 17 requests for registration, of which only two were refused.

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The Commission also wishes to underline that it has followed up where appropriate on initiatives that reached the required level of support. In one case ('One of us'), the Commission considered that the existing legal framework was appropriate and no further action was required. In the three other cases ('Right2Water', 'Stop Vivisection' and 'Ban glyphosate and toxic pesticides'), the Commission has committed to a number of follow-up actions of legislative or non-legislative nature. In particular, the Commission has proposed a revised directive on drinking water on 31 January 2018 in response to the initiative 'Right2Water'. Following the 'Ban glyphosate and toxic pesticides' initiative, the Commission has also proposed on 11 April 2018 a Regulation on the transparency and sustainability of the EU risk assessment in the food chain. This demonstrates that the European Citizens' Initiative has real impact on the European Union's policy and law-making.

For the Commission's view on these issues and other comments in the Opinion I would like to refer to the attached annex. I would also like to underline that the initial proposal presented by the Commission is currently in the legislative process involving both the European Parliament and the Council. The Opinion of the Národná Rada has been made available to the Commission's representatives in the ongoing negotiations with the co-legislators and will inform these discussions.

The Commission hopes that the clarifications provided in this reply address the issues raised by the Národná Rada and looks forward to continuing the political dialogue in the future.

Yours faithfully,

*Frans Timmermans
First Vice-President*

Annex

The Commission has carefully taken note of the issues raised by the Národná Rada in its Opinion and is pleased to offer the following clarifications.

With regard to the Commission response to the four initiatives which have reached the required level of support and the impact of European Citizens' Initiative in the European Union's policy and law-making, as referred to in the letter, in three cases the Commission has committed to a number of follow-up actions of legislative or non-legislative nature (i.e. 'Right2Water', 'Stop Vivisection' and 'Ban glyphosate and toxic pesticides' initiatives).

The proposal introduces several improvements as regards the follow-up to initiatives reaching the one million threshold and being submitted to the Commission, notably an extension of the examination phase from three to five months to allow more time for debate on the initiatives before the adoption of the Commission response. It also introduces improvements with regard to the hearing in the European Parliament, notably with a view to ensuring a balanced and inclusive representation of all stakeholders concerned by the initiative, and representation of other institutions and advisory bodies in the hearing.

With regard to reinforcing the requirements for the Commission as to the response to initiatives in the follow-up phase, the proposal maintains the provisions of the current Regulation, which foresee that the Commission shall set out in a Communication its legal and political conclusions on the initiative, the action it intends to take, if any, and its reasons for taking or not taking action. This provides for an efficient and proportionate mechanism which reflects the scope of the European Citizens' Initiative as an invitation to the Commission, which is enshrined in the Treaties and which cannot be modified by the Regulation.

The Commission fully agrees on the importance of the role of the European Parliament in the implementation of the European Citizens' Initiative, including the hearing at the European Parliament as a mechanism for dialogue and exchange of views between European Union institutions and organisers of successful European Citizens' Initiatives. Other elements such as the possibility for the European Parliament to request the Commission to submit a legislative proposal in accordance with Article 225 of the Treaty on the Functioning of the European Union fall within the competence of the European Parliament.

Finally, with regard to the review clause, the proposal foresees that the Commission shall periodically review the functioning of the European Citizens' Initiative and present a report to the European Parliament and the Council on the application of this Regulation no later than five years from the date of application, and every five years thereafter, and that the reports shall be made public. The Commission considers that the period of five years for the review of the Regulation is proportionate, taking into account the extension of the potential European Citizens' Initiative's timeline foreseen by the

proposal, and to allow for a proper implementation period and subsequent review process including gathering evidence on results and impacts.