# Guidelines for a proposal of a regulation of the European Parliament and the Council on the implementation of the citizens' initiative, pursuant to Article 11(4) of the Treaty on the European Union

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The European Parliament adopted by 380 votes to 41, with 29 abstentions, a resolution requesting the Commission to submit a proposal for a regulation of the European Parliament and of the Council on the implementation of the citizens' initiative.

In its resolution, the Parliament recalls that the Treaty of Lisbon introduces the Citizens' Initiative, whereby citizens of the Union numbering **not less than one million who are nationals of a significant number of Member States** may take the initiative of inviting the Commission, within the framework of its powers, to submit any appropriate proposal on matters where citizens consider that a legal act of the Union is required for the purpose of implementing the Treaties.

Citizens will thus play a direct role in the exercise of the European Union's sovereign power by being, for the first time, directly involved in the initiation of European legislative proposals.

In this context, the Commission is called upon to submit without delay, after the Treaty of Lisbon enters into force, **a proposal for a regulation on the citizens' initiative** on the basis of Article 24 of the Treaty on the Functioning of the European Union. The regulations should be clear, simple and user-friendly, incorporating practical elements related to the definition of a citizens' initiative in order that it should not be confused with the right of petition.

MEPs call on the Commission to examine a **number of recommendations**, contained in the annex to the draft resolution, which focus on the following aspects:

**Determining the minimum number of Member States**: the minimum number of Member States from which the citizens taking part in the initiative must come is one quarter of the Member States. This requirement is fulfilled only if at least 1/500 of the population of each of the Member States concerned supports the initiative.

**Determining the minimum age of participants**: every citizen of the Union who has the right to vote in accordance with the legislation of his/her own Member State may participate in a citizens' initiative.

**Determining the procedure**: the Parliament is of the opinion that a successful citizens' initiative requires the Commission to look into the matters it raises and decide whether and to what extent it should accordingly submit a proposal for a legal act. In this regard, it would be advisable for initiatives to refer to one or more appropriate legal bases for the submission of the proposed legal act by the Commission.

Moreover, MEPs consider that a citizens' initiative may proceed only if it is admissible, in so far as: (a) it contains a request to the Commission to submit a proposal for a legal act of the Union; (b) the Union has

legislative competence, and the Commission has the right to submit a proposal in the matters concerned; and (c) the requested legal act is not manifestly contrary to the general principles of law as applied in the Union.

The procedure for a citizens' initiative comprises **five stages**:

1. registering the initiative with the Commission;
2. collecting of individual statements of support for the successfully registered initiative and official confirmation by the Member States of the result of the collection of individual statements of support;
3. organisers presenting the citizens' initiative to the Commission;
4. the Commission's formal statement of its position;
5. verifying that the requested legal act is consistent with the Treaties.

**The principle of transparency**: the organisers of a successfully registered citizens' initiative shall be required, within an appropriate period of time after the conclusion of the procedure, to present to the Commission a report on the funding of the initiative, including the sources of funding (transparency report). The report shall be examined by the Commission and published together with an opinion.

As a general rule, the Commission should begin to address the content of a citizens' initiative only after a transparency report has been presented in due form.

Lastly, MEPs consider that it is the political task of the Parliament to monitor the process of a citizens' initiative, and that this responsibility concerns the implementation of the regulation on the citizens' initiative, as such, as well as the political position of the Commission with regard to the request submitted by the citizens' initiative.