

Citizens' initiative

2010/0074(COD) - 30/11/2010

The Committee on Constitutional Affairs adopted the report drafted by Zita GURMAI (S&D, HU) and Alain LAMASSOURE (EPP, FR) on the proposal for a regulation of the European Parliament and of the Council on the citizens' initiative.

It recommended that the European Parliament's position at first reading under the ordinary legislative procedure (formerly known as the codecision procedure) should be to amend the Commission proposal.

Threshold to launch the Citizens' Initiative: it is necessary to establish a minimum number of Member States from which citizens must come. This threshold should ensure that a citizens' initiative is representative of a Union interest but the requirements should not be too cumbersome. It therefore should be set at **one fifth of the Member States**.

Organisers: a genuine citizens' initiative should, per definitionem, be a tool of participatory democracy which is open for citizens of the Union and not for legal persons. Therefore, Members consider that the organisers should **only be citizens** (natural persons). The organisers should form a **citizens' committee** in order to be able to launch an initiative. Organisers shall form a citizens' committee of at **least seven persons who are residents of at least seven Member States**.

The organisers shall designate one representative and one substitute, who shall perform a liaison function between the citizens' committee and the institutions of the European Union throughout the procedure and who shall be mandated to speak and act on behalf of the citizens' committee.

Registration of a proposed citizens' initiative: the organisers shall provide regularly updated information on the **sources of support and funding for the initiative**. The translation of the initiative into other official languages of the Union shall be the responsibility of the organisers.

The Commission shall register a proposed initiative within **two months from its receipt** when the following conditions are fulfilled:

- the citizens' committee has been formed and the contact persons have been designated;
- there are no manifest, significant inconsistencies between the linguistic versions of the title, subject-matter and objectives of the proposed initiative;
- the initiative does not manifestly fall outside the scope of the Commission's power under the Treaties to submit a proposal for the requested legal act;
- the proposed initiative is not manifestly abusive, frivolous or vexatious;
- the proposed initiative is not manifestly contrary to the values of the Union as set out in Article 2 of the Treaty on European Union.

The Commission shall reject the registration if the necessary conditions are not met. Where it refuses to register an initiative, the Commission shall inform the organisers of the reasons for such refusal and of all possible judicial and extrajudicial remedies available to them.

The citizens' committee should remain free to withdraw an initiative when it considers that it is useless to continue the collection of signatures or it simply does not intend to continue its activity for any reasons. However, this opportunity should not be granted after the submission of the statements of support, because Member States spend taxpayers' money on verifying signatures.

Online collection systems: the online collection of signatures should be facilitated by the Commission by making available an open-source software. The software and the relevant support services shall be made available to the organisers free of charge. The Commission shall inform the European Parliament of the state of progress in the creation of the open-source software no later than three months after the entry into force of this Regulation.

Provisions for the verification and certification of statements of support by the Member States: the organiser shall submit statements of support to the Member State where the signatories have their permanent residence or in the case where a signatory is not a national of the Member State in which he or she permanently resides may choose to be considered as coming either from the Member State in which he or she permanently resides or from the Member State of which he or she is a national. A signatory permanently resident in a third country shall be considered as coming from the Member State of which he or she is a national.

Examination procedure: where the Commission receives a citizens' initiative, it shall:

- examine the citizens' initiative, receive the organisers of the initiative at an appropriate level and, within three months, set out in a communication its initial conclusions on the initiative;
- organise **a public hearing** jointly with the European Parliament through its committee responsible, at which the Commission shall be represented at Commissioner or Director-General level and at which the organisers shall have the opportunity to explain in detail the matters raised by the initiative;
- present a legislative proposal within one year or include that proposal in its next year's Work Programme.

Assistance: the Commission shall:

- draw up a comprehensive, user-friendly guide on the citizens' initiative and shall keep it up to date;
- provide a help desk in order to support organisers and to enter into a dialogue from an early stage of the procedure;
- inform the organisers of current or intended legislative proposals on matters raised by the initiative and of other registered citizens' initiatives that wholly or partly concern the same matter.

Review clause: **three years** after the entry into force of this Regulation, and every three years thereafter, the Commission shall present a report to the European Parliament and the Council on the implementation of this Regulation, with special emphasis on online collection systems and the application of transparency requirements concerning support and funding for initiatives, together, if appropriate, with a legislative proposal for amendment of this Regulation.