European citizens' initiative

2014/2257(INI) - 07/10/2015 - Committee report tabled for plenary, single reading

The Committee on Constitutional Affairs adopted an own-initiative report by György SCHÖPFLIN (EPP, HU) on the European Citizens' Initiative.

The Committee on Petitions, exercising its prerogative as an associated committee in line with Article 54 of the Rules of Procedure of the Parliament, was also consulted for an opinion on this report.

The European Citizens' Initiative (ECI) is a new political right for citizens as well as a unique and innovative agenda-setting tool for participatory democracy in the European Union, allowing citizens to play an active part in projects and processes that affect them.

The report noted that more than six million EU citizens have participated in an ECI, that there were **51 requests to launch an initiative**, of which only three – the 'Right2Water', 'One of Us' and 'Stop Vivisection' initiatives – **were deemed admissible**. The report pointed to the **various practical difficulties which organisers have encountered** since the entry into force of the regulation in April 2012, and to the fact that the number of initiatives is declining.

Three years on from the entry into application of Regulation (EU) No 211/2011 on 1 April 2012, Members considered it necessary to **evaluate its implementation** thoroughly in order to identify any shortcomings and to propose viable solutions for its prompt revision.

Raising public awareness and giving the ECI a higher profile: pointing out the importance of public awareness of the ECI in order for it to be an effective tool for democratic participation, Members called on the Commission to use all public communication channels to raise awareness, and to take the necessary measures to ensure the transparency of the ECI and facilitate communication relating to current ECIs, for example by creating applications that provide information, send notifications and allow online signing. Member States' national parliaments should mention the ECI on their official website.

The Commission is called upon to **make its software for the online collection of signatures more user-friendly**, to make it accessible to people with disabilities, to offer its own servers for the storage of online signatures for free on a permanent basis, using existing EU budgets. There is a need to link the online collection of signatures to the relevant **new social and digital media campaigning tools**.

Improve information to organisers: Members called on the Commission to provide appropriate and comprehensive guidance – especially of a legal nature – as early as possible to the organisers of ECIs through the Europe Direct Contact Centre, so that organisers are aware of the possibilities open to them and will not fail by proposing an ECI that is manifestly outside the Commission's powers and does not comply with the legal admissibility criteria. The report called for consideration to be given to the possibility of establishing **another independent body** tasked with giving advice. The Commission should consider setting up a **dedicated ECI office** at its representations in each Member State to provide all the necessary information, advice and support for ECIs. A dedicated ECI office could also contribute to raising public and media awareness about the ECI.

Moreover, the report called for the provision of **more detailed guidelines** on the interpretation of legal bases and of more information on **data protection requirements** in each Member State in which the organisers run their campaigns.

Acknowledging the many complaints from organisers about not having received detailed and exhaustive reasons for the rejection of their ECIs, Members invited the Commission to **explain in detail the reasons for rejecting an ECI** in order: (i) that the validity and complete objectivity of those elements can be subjected to legal scrutiny, (ii) that the **Commission's power of discretion** as judge and party in the assessment of an initiative's admissibility can be **reduced** as far as possible, and; (iii) that the organisers can decide whether to revise their ECI and resubmit it in a modified form.

The Commission is invited to explore ways of referring initiatives, or those parts of initiatives, that do not fall within the scope of the Commission's powers to the competent authority, be it at national or regional level.

Improving user-friendliness: Members called for the improvement of the **multilingual ECI website** run by the Commission and for a single set of guidelines in all the EU's official languages on the rights and obligations of ECI organisers and on the administrative procedures applicable throughout the ECI process.

In this regard, the report called for the future establishment of a **physical and online 'one-stop shop'** providing, on a permanent basis, information, translation services and technical, legal and political support for ECIs.

Members called on the Commission to recommend to the Member States that they **lower the age for supporting and participating in an ECI from 18 to 16** and that it not to be tied to the right to vote in elections to the European Parliament, thus giving young people, in particular, the possibility of becoming actively involved in taking the European project forward.

Personal data: Members deemed it too complicated for organisers to provide different personal data in support of ECIs in the 28 Member States. They called for the standardisation of the nature of the data collected in the Member States and encouraged the Commission to negotiate further with Member States with a view to **reducing the number of data requirements** and making them more user-friendly.

Acknowledging the delicate problem of **organisers' personal liability** with regard to data protection when collecting signatories' personal data, the report proposed that the range of data required be reduced and that the wording Regulation (EU) No 211/2011, on liability, be changed to make it clear that personal liability is not unlimited.

Public hearings: in order to emphasise the political dimension of ECIs, Members suggested that a public hearing, under the terms of Regulation (EU) No 211/2011, should be structured in such a way as to allow organisers to engage in a dialogue with Members of the European Parliament and relevant Commission officials. Hearings on ECIs should be organised under the auspices of a 'neutral' committee that does not have the main responsibility for their subject-matter in terms of content, and furthermore that external experts should be involved at all times.

The Commission is invited to **report regularly** to Parliament on the state of play of ongoing ECIs.