

## European Citizens' Initiative (ECI)

The European Citizens' Initiative (ECI) was introduced in 2009 with the Lisbon Treaty. It is a key element of participatory democracy, allowing citizens to play an active role in the EU's democratic life, by addressing requests to the European Commission for legislative proposals. The procedure and conditions for ECIs are governed by Regulation (EU) No 211/2011, in force since April 2012. This has been considered in debate on the ECI's effectiveness, leading to some suggestions for improvement, in particular under the Commission's planned review of the ECI Regulation in 2017.

### ECI – legal framework and procedure

[Article 11\(4\)](#) of the Treaty on European Union (TEU) grants 1 million or more EU citizens the right to invite the European Commission, through a European Citizens' Initiative (ECI), to present a legislative proposal on matters – within its competences – where they consider a legal act is necessary for implementing the Treaties. The procedures and conditions for exercising this right are set out in the '[ECI Regulation](#)', adopted on the basis of [Article 24](#) TFEU.

Under the ECI Regulation, ECI organisers must first set up a **citizens' committee** (consisting of at least seven persons, all residing in different Member States) and ask the Commission to register their initiative. The Commission has two months to do so, if it concludes that the proposed initiative does not 'manifestly fall' outside its powers, and complies with other formal conditions in Article 4(2) of the ECI Regulation (the legal admissibility test). After registration, organisers have to collect at least 1 million signatures in at least a quarter of the Member States (i.e. seven of the 28 Member States) within no more than 12 months. Collected **statements of support** on paper or in electronic form are then forwarded to Member States' authorities for **verification** and then to the Commission. Finally, if the threshold is reached, the Commission **examines** the initiative, meets the organisers and, within three months, issues a communication stating its decision to act or not to act, and giving the grounds for doing so. Organisers of a successful initiative can also present it at a **public hearing** organised by the European Parliament with the participation of other relevant EU institutions.

### ECIs received since 2012

Since April 2012, the Commission has received a total of 66 ECI proposals. According to its [official register](#), ten ECIs are currently open for signature. 'More than education – Shaping active and responsible citizens', and 'People4Soil', both since autumn 2016; 'European Free Movement Instrument', 'Ban glyphosate and protect people and the environment from toxic pesticides', and 'EU Citizenship for Europeans: United in Diversity in Spite of *jus solis* and *jus sanguinis*', since January 2017. 'Minority Safe Pack – one million signatures for diversity in Europe', opened for signature in early April 2017, [following a ruling of the General Court](#) of the European Union. Two ECIs were registered in May 2017, 'Retaining European citizenship' on 2 May, and 'Let us reduce the wage and economic differences that tear the EU apart!', on 22 May. Finally, an ECI proposal on 'Stop Extremism' was registered in June 2017, and the Stop TTIP ECI, also following a judgment of the General Court, on 10 July.

Two ECIs have recently closed to signature, but the results are not yet known: 'Mum, Dad & Kids – to protect Marriage and Family', and 'Stop plastic in the sea'. The Commission has formally replied to three initiatives which gained 1 million signatures ('Stop Vivisection', 'One of Us' and 'Water is a public good, not a commodity') by adopting communications, and for the third of these, a new legislative proposal has been included in the Commission's 2017 work programme as a [follow-up](#) to the ECI. The Commission has rejected 19 ECI registration requests (among others, 'Stop Brexit'), mostly because they fall outside its powers. In addition, 14 ECIs were withdrawn by their organisers, and 18 did not gather sufficient support over the 12-month period for collecting signatures.



ECI organisers can resort to a number of judicial and extrajudicial remedies, such as the Ombudsman. Seven Commission decisions to reject ECIs have been challenged before the General Court. The Court overturned the Commission's refusals to register [Minority Safe Pack – for diversity in Europe](#) and [Stop TTIP](#) – both are now open for signature – but confirmed the Commission's refusal in four other cases – [Ethics for Animals and Kids](#), [Cohesion policy for the equality of the regions and the preservation of regional cultures](#), [One Million Signatures for a Europe of solidarity](#), and [Right to Lifelong Care](#). In all but the last of these cases, the organisers have launched appeals of the Court's decisions. A Court hearing is also pending in the case of [One of Us](#).

## Debate on the ECI

### *Discussion on the ECI's function*

Since 2012, and during its first [triennial review in 2015](#), the ECI was the subject of [lively debate](#) on its functions and impact. While it is valued as a tool for political dialogue between citizens and EU institutions, stakeholders' views diverge considerably on the ECI's effectiveness in bridging the gap between citizens and decision-makers. Here, civil society and Parliament tend to see the ECI mainly as an instrument for new EU-level legislation, whereas the Council and Commission also stress the ECI's important political value in launching a political debate, even if it does not result in a change of legislation.

### *Procedural issues affecting the ECI's implementation*

Stakeholders (e.g. NGOs) have addressed ECI proposals' compatibility with Commission powers, and the scope of the Commission's legal admissibility test. In a substantial number of cases, the Commission has [refused](#) to register ECIs on the grounds of incompatibility. Stakeholders also [identify](#) problems with gathering support due to data protection requirements for online collection systems (OCS). Other concerns include funding for support campaigns and staff/equipment costs, citizens' committee members' personal liability and citizens' committees' lack of legal entity status.

### *Stakeholders' suggestions for changes in the ECI Regulation*

Proposals for [improvement](#) include abolishing citizens' committee members' personal liability and providing such committees with legal status. On admissibility checks, proponents suggested a neutral entity to replace the Commission, improving guidance for organisers, and allowing registration of part of an ECI. Ideas on electronic signature collection cover a European citizen's ID number (used on a secure website in the Member States); qualified electronic signatures (QES); open software; and an EU-wide single collection point. In addition, the [European Ombudsman](#) has urged the Commission to present new ideas on translation assistance and ECI funding and to improve OCS systems, while keeping in mind the needs of people with disabilities. The Ombudsman also suggested simpler EU-wide personal data requirements for collected statements of support, and a detailed and transparent Commission position on successful ECIs. In broader political terms, EU institutions have proposed to look for ways to continue and deepen EU-level political discussions beyond the formal ECI process.

## Developments since 2015

### *The European Parliament's position*

In October 2015 the EP adopted a [resolution](#) urging the Commission to simplify ECI procedures and propose a revision of Regulation (EU) No 211/2011 and its Implementing Regulation concerning online collection systems' technical specifications. In a January 2016 [resolution](#) the EP deplored the Commission's reply to the few successful ECIs and the lack of a follow-up to ECI as an instrument of transnational democracy, and called for its further improvement and full implementation by the Commission. A [report](#) with recommendations to the Commission on revision of the ECI Regulation (rapporteur: György Schöpflin, EPP, Hungary) is currently in preparation in the AFCO Committee. The [Committee of the Regions](#) and the [European Economic and Social Committee](#) have also addressed similar suggestions.

### *Commission consultation on a proposed review of the ECI Regulation*

Meanwhile, in April 2017 the Commission [announced](#) plans for a revision of the ECI Regulation, and, in May 2017, published a [roadmap](#), identifying the main areas for improvement. These cover ECI registration, Member States' data requirements for signatories, ECI organisers' personal liability and citizens' committees' lack of legal personality, the link between the ECI registration date and the start of the 12-month signature collection period, online collection process and the examination of and follow-up given to successful ECIs. On this basis, it has launched a two-month [public consultation](#), scheduled to end on 16 August 2017.

*This is a further update of an 'at a glance' note published in April 2017: [PE 599.419](#).*