



EUROPEAN PARLIAMENT

2014 - 2019

Committee on Petitions

2014/2257(INI)

1.7.2015

OPINION

of the Committee on Petitions

for the Committee on Constitutional Affairs

on the European Citizens' Initiative
(2014/2257(INI))

Rapporteur (*): Beatriz Becerra Basterrechea

(*): Associated committees – Rule 54 of the Rules of Procedure

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SUGGESTIONS

The Committee on Petitions calls on the Committee on Constitutional Affairs, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

1. Welcomes the European Citizens' Initiative (ECI) – as defined in Article 11(4) of the Treaty on European Union (TEU) and Article 24(1) of the Treaty on the Functioning of the European Union (TFEU) – as the first instrument for transnational participatory democracy enabling citizens to engage directly with the EU institutions and to become actively involved in the framing of European policies and legislation, complementing their right to submit petitions to Parliament and to appeal to the European Ombudsman;
2. Welcomes the Commission's Report on the ECI acknowledging that there is still room to improve and promote the tool; equally welcomes the European Ombudsman's own-initiative inquiry into the functioning of the ECI; points to the practical experience acquired in many areas since 2012 by the organisers of the European Citizens' Initiative;
3. Invites the Commission to regularly report to Parliament about the state of play of ongoing ECIs, so that Parliament can scrutinise that the tool works as effectively as possible, as part of its commitment to Europe's citizens; stresses that the ECI process should be continuously improved in line with the practical experience gained and should, furthermore, comply with the judgments that will be delivered by the Court of Justice of the European Union;
4. Recalls that, in previous resolutions and annual reports prepared by the Committee on Petitions, Parliament had already pointed out some of the weaknesses of the existing legal framework and the bureaucratic burdens in the practical running of the ECI owing to a lack of IT support and disparate use in the national administrations; calls on the Commission to undertake, as soon as possible, a comprehensive revision of the ECI Regulation and of Commission Implementing Regulation (EU) No 1179/2011 in order to eliminate all remaining obstacles and create clear, simple, user-friendly and proportionate procedures;
5. Calls for the simplification and harmonisation of requirements and procedures for the collection of statements of support, via standardised forms, by dispensing with the obligation to collect personal ID numbers, since this generates differences depending on the Member State; recalls that the European Data Protection Supervisor has stated that such requirements are not necessary; suggests considering the setting-up of a common identification tool for supporting an ECI, in order to facilitate the process for signatories and for further exploring the possibility of creating a simplified voluntary online EU registry;
6. Welcomes the Commission's efforts to launch and improve the online signature collection system (OCS); acknowledges, however, that further efforts are needed to completely redesign and customise the OCS; calls on the Commission to provide the citizens' committees with access to a permanent, centralised and free server allowing for the storage of online signatures in compliance with EU data protection standards, to simplify

the OCS software and to ensure that specific groups of people such as citizens living abroad, disabled people and elderly people are not denied their right to sign an initiative;

7. Invites the Commission to consider the most appropriate options related to the signature collection period in the future revision of the ECI Regulation, such as to increase the signature collection period to up to 18 months, or to give the organisers the possibility to decide on the starting date of the signature collection period, or to fix the starting point of the 12-month period once the OCS certification is completed;
8. Expresses its concern about the fact that, since 2012, only 3 out of 31 registered ECIs have reached the final phase; highlights how the dramatic decrease in the number of new initiatives is one of the consequences of disproportionate requirements and of an unnecessarily complex system; regrets the lack of legislative impact and the discouraging follow-up by the Commission of successful initiatives; expresses differences of opinion with the Commission regarding the successful implementation of the regulation to realise the full potential of ECIs; stresses that the European institutions and the Member States must take all necessary steps to promote the ECI and to foster citizens' confidence in this tool;
9. Believes that, if revised, the instrument has the potential to engage the public and to promote dialogue among citizens and between citizens and the EU institutions; stresses the need to link the OCS to the new relevant social and digital media campaigning tools, following the example of other successful online campaigning platforms;
10. Recommends using every available communication channel, in particular the social and digital media platforms of all relevant European institutions, to conduct ongoing awareness-raising campaigns, with the involvement of EU offices and representations as well as national authorities; calls on the Commission to support the development of an open-source dedicated ECI software program for mobile devices; welcomes the fact that some ECIs have managed to have an impact at local level;
11. Calls on the Commission to urge the Member States to use the ECI Validation Tool for Statements of Support, developed under the Interoperability Solutions for European Public Administrations programme;
12. Stresses that, within the scope of the instruments available to enhance participatory democracy across the Union, IT tools should be made available also to regions, thus allowing for greater involvement of citizens in public affairs;
13. Regrets the lack of clear information on the ECI instrument at the early stages, which led to a general misconception about its nature and generated frustration when the first ECIs were rejected by the Commission; recalls that the instrument should be simple, clear, user-friendly and widely publicised; stresses that national and local elected representatives should be encouraged and supported by the Commission to spearhead this increase in exposure of ECIs;
14. Expresses its concern about the potential conflict of interests, given that the Commission itself has the exclusive responsibility to carry out the initial legal check, and asks for this situation to be addressed properly in the future;

15. Considers that the review of the ECI Regulation should also be used as an opportunity to underline the main differences between the ECI and the right to petition and that this could be done via harmonised information on the European institutions' websites and in their advertisement policies;
16. Calls for enhanced interinstitutional cooperation at EU level, as well as at the national and local level, when dealing with ECIs in providing information and support to ECI organisers; calls for the improvement of the multilingual website of the ECI run by the Commission and for a single set of guidelines in all official languages of the European Union on the rights and obligations of the ECI organisers and on the administrative procedures throughout the ECI process; welcomes the European Economic and Social Committee's proposal to provide free translations of the ECI submission texts;
17. Calls 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 regarding ECIs, which could use the existing resources of the point of contact based in the Europe Direct Contact Centre and the Commission's representations and Parliament's information offices in the Member States; considers that such a set-up would bring the ECI project closer to citizens;
18. Invites the Commission to consider different options for providing administrative and financial support to ECI projects through the existing budget lines of the Europe for Citizens Programme and the Rights, Equality and Citizens Programme;
19. Calls on the Commission to consider uniformly lowering the minimum age to support an ECI to 16, to encourage civic participation of the younger generation in EU affairs;
20. Encourages the Commission to revise the ECI Regulation to also ensure transparency and institutional balance in the decision-making process and clarify the procedure for legal admissibility; takes note of the cases pending before the Court of Justice of the European Union (CJEU) and is confident that the CJEU will decide whether the Commission applies admissibility too rigidly, and in the meantime suggests that assistance be given to the organisers in framing the legal basis of their proposal;
21. Invites the Commission to respond to successful ECIs with more concrete actions and with a higher level of involvement and to provide more robust, consistent and comprehensible reasoning for rejecting ECIs considered as non-admissible; reminds the Commission that it should consider a legislative proposal for each successful ECI; calls on the Commission, in cases of only partial legal admissibility, to suggest a redrafting of the ECI or to accept the parts that are within the Commission's remit;
22. Encourages the EU institutions to consider the possibility of debating the issues that were raised by initiatives that have not reached the one million signatures but have more than half of the required number; recalls, in this respect, that the Committee on Petitions may examine unsuccessful ECIs pursuant to Rule 218 of Parliament's Rules of Procedure, if it considers that follow-up is appropriate;
23. Calls for the drafting of an own-initiative report by Parliament on each successful initiative followed by a debate and vote in plenary; suggests that, if the Commission fails

to provide a legislative proposal within 12 months after submission of the successful ECI, Parliament's competent committee should initiate a new report in order to express its concrete legislative demands, for which the selected rapporteur shall consult the ECI organisers in another hearing;

24. Considers it crucial, so as to ensure proper use of this participative democracy tool by citizens and in order to prevent its possible abuse by private interests, to increase the transparency and the quality of checks of the funding and sponsorship of ECIs;
25. Invites the Commission to clarify whether EU citizens could have the power to propose Treaty amendments on the basis of the upcoming judgment of the Court of Justice of the European Union (CJEU) and to consider in the future revision of the regulation the proposal of allowing ECIs that require Treaty amendments according to Article 48 TEU;
26. Recalls that hearings concerning successful ECIs are currently organised by the competent committee, according to the subject of the ECI, with the Committee on Petitions associated; proposes that the Committee on Petitions should take over the role of organising hearings, with the participation of interested stakeholders, as a neutral forum with the greatest experience in dealing with citizens, in order to ensure consistency and fair and equal treatment across hearings of different ECIs; notes that the ECI citizens' committee should receive reimbursement for all its members of the expenses arising from participation in the hearings.

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	23.6.2015
Result of final vote	+: 30 -: 0 0: 0
Members present for the final vote	Margrete Auken, Beatriz Becerra Basterrechea, Heinz K. Becker, Soledad Cabezón Ruiz, Andrea Cozzolino, Pál Csáky, Miriam Dalli, Rosa Estaràs Ferragut, Eleonora Evi, Lidia Joanna Geringer de Oedenberg, Sylvie Goddyn, Daniel Hannan, Peter Jahr, Jude Kirton-Darling, Svetoslav Hristov Malinov, Roberta Metsola, Marlene Mizzi, Julia Pitera, Gabriele Preuß, Yana Toom, Bodil Valero, Jarosław Wałęsa, Cecilia Wikström, Tatjana Ždanoka
Substitutes present for the final vote	Elisabetta Gardini, Kostadinka Kuneva, Jérôme Lavrilleux, Kazimierz Michał Ujazdowski, Ángela Vallina, Axel Voss, Rainer Wieland
Substitutes under Rule 200(2) present for the final vote	Amjad Bashir, Rosa D'Amato