

European Citizens' Initiative (ECI)

The European Citizens' Initiative (ECI), introduced in 2009 with the Lisbon Treaty, is a key element of participatory democracy, allowing citizens to play an active role in the EU's democratic life, through addressing a request to the European Commission to make a proposal for a legal act. The procedure and conditions for ECIs are governed by Regulation (EU) No 211/2011, in force since April 2012. In September 2017, the European Commission presented a proposal for its amendment, picking up on a number of suggestions for improvement.

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 proposal for a legal act on matters – within its competences – where they consider such an 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 66 ECI proposals. According to its [official register](#), six ECIs are currently open for signature. EU Citizenship for Europeans: United in Diversity in Spite of *jus solis* and *jus sanguinis*, was opened for signature in March 2017 and 'Minority Safe Pack – one million signatures for diversity in Europe' in April 2017, [following a ruling of the General Court](#) of the European Union. Two ECIs were registered in May 2017, 'Retaining European citizenship' and 'Let us reduce the wage and economic differences that tear the EU apart!'. Finally, an ECI proposal on 'Stop Extremism' was registered in June 2017, and 'Stop TTIP', also following a [judgment](#) of the General Court, on 10 July.

The Commission has formally replied to four initiatives which gained 1 million signatures ('Stop Vivisection', 'One of Us', 'Water is a public good, not a commodity' and 'Ban glyphosate and protect people and the environment from toxic pesticides') by adopting communications, and for the third of these, a new legislative proposal was included in the Commission's 2017 work programme as a [follow-up](#) to the ECI, and was due to be adopted by the Commission in January 2018. It has rejected 19 ECI registration requests (among others, 'Stop Brexit'), mostly because they fall outside its powers. In addition, ECI organisers have withdrawn 14 ECIs, and 23 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. Though seen 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. Thus, civil society and Parliament tend to see the ECI mainly as an instrument concerned with new EU-level legislation, whereas the Council and Commission also stress its importance in launching a political debate, even if that does not lead to a change in 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 particular its [refusal](#) to register ECIs due to incompatibility. They also [identify](#) problems with gathering signatures related to online collection systems (OCS) and data protection requirements. Other issues include funding for support campaigns and staff/equipment costs, personal liability of citizens' committee members, and citizens' committees' lack of legal entity status.

Stakeholders' suggestions for changes in the ECI Regulation

Proposed [improvements](#) include limiting citizens' committee members' personal liability and providing such committees with legal status. On admissibility checks, proponents suggest better guidance for organisers and partial registration of ECIs. On electronic signature collection, ideas cover a European citizen's ID number (used on a secure website in the Member States); qualified electronic signatures (QES); open software use; and an EU-wide single collection point. 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 support statements, 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

European Parliament position

In October 2015, the EP had [urged](#) the Commission to simplify ECI procedures and propose a revision of Regulation (EU) No 211/2011 and its implementing regulation concerning OCS' technical specifications. In January 2016, the EP [criticised](#) the Commission's reply to the few successful ECIs and the lack of a follow-up to the ECI as an instrument of transnational democracy, calling for further improvement and full implementation. The [Committee of the Regions](#) and the [European Economic and Social Committee](#) have also addressed similar suggestions for improvement.

Commission proposal for review of the ECI Regulation

Following a [public consultation](#) on ECIs (May-August 2017), the Commission proposed in September 2017 a [review](#) of the ECI Regulation. The proposal envisages an online collaborative platform to assist organisers, and further support for ECIs' translation in all official EU languages. It also provides for the partial registration of an ECI if a substantial part of an initiative does not manifestly fall outside the framework of the Commission's powers. Other improvements include simplified data requirements for signatories, the possibility for ECI organisers to create a legal entity and the right of organisers to choose the start date of the collection period, within three months from the initiative's registration. The proposal also envisages a central OCS by 2020, setup and operated by the Commission, available free-of-charge to registered ECIs' organisers, and would extend the time period for issuing a Commission communication on a successful ECI from 3 to 5 months.

This is a further update of an 'at a glance' note published in July 2017: [PE 608.644](#).

For more detailed information on the proposed amendment of the ECI Regulation, please see EPRS' 'EU Legislation in progress' briefing, [Revising the European Citizens' initiative](#).