AMENDMENTS
1 - 18

Draft opinion
Helmut Scholz
(PE697.604v01-00)

Engaging with citizens: the right to petition, the right to refer to the European Ombudsman and the European Citizens’ Initiative
(2020/2275(INI))
AM_Com_NonLegOpinion
Amendment 1  
Seán Kelly, Loránt Vincze

Draft opinion  
Paragraph 1 – point 1

Draft opinion

1. ‘whereas the citizens of the Union have the right enshrined in Article 11(4) TEU to apply to the Commission directly to ask it to submit a proposal, within the framework of its powers, for a legal act of the Union for the purpose of implementing the Treaties; whereas the Court of Justice of the European Union has confirmed in its case law that the notion of a ‘legal act for the purpose of implementing the Treaties’ should not be interpreted restrictively and that by virtue of Article 288 TFEU such an act can mean both legislative and non-legislative measures’;

Amendment

1. ‘whereas democratic elections to the European Parliament constitute the main bottom-up instrument for citizens in the Union; whereas the ECI contributes to the democratic functioning of the Union; whereas the citizens of the Union have the right enshrined in Article 11(4) TEU to apply to the Commission directly to ask it to submit a proposal, within the framework of its powers, for a legal act of the Union for the purpose of implementing the Treaties; whereas the Court of Justice of the European Union has confirmed in its case law that the notion of a ‘legal act for the purpose of implementing the Treaties’ should not be interpreted restrictively and that by virtue of Article 288 TFEU such an act can mean both legislative and non-legislative measures’;

Or. en

Amendment 2  
Pascal Durand

Draft opinion  
Paragraph 1 – point 1

Draft opinion

1. ‘whereas the citizens of the Union have the right enshrined in Article 11(4) TEU to apply to the Commission directly to ask it to submit a proposal, within the framework of its powers, for a legal act of the Union for the purpose of implementing the Treaties; whereas the Court of Justice of the European Union has confirmed in its case law that the notion of a ‘legal act for

Amendment

1. ‘whereas the citizens of the Union have the right enshrined in Article 11(4) TEU to apply to the Commission directly to ask it to submit a proposal, within the framework of its powers, for a legal act of the Union for the purpose of implementing the Treaties; whereas the Court of Justice of the European Union has confirmed in its case law that the notion of a ‘legal act for
the purpose of implementing the Treaties’ should not be interpreted restrictively and that by virtue of Article 288 TFEU such an act can mean both legislative and non-legislative measures; whereas, in that same spirit, the EU competences relevant to the proposal should also not be interpreted restrictively;

Amendment 3
Pascal Durand

Draft opinion
Paragraph 2 – point 2

2. ‘whereas the Commission has listed a number of problems relating to the implementation of Regulation (EU) 2011/211 and whereas the new Regulation (EU) 2019/788 aims to address those issues in detail with regard to the effectiveness of the ECI as an instrument, and to bring improvements to the way it operates; whereas its implementation needs to be assessed effectively and in a timely manner’;

Amendment
2. ‘whereas the Commission has listed a number of problems relating to the implementation of Regulation (EU) 2011/211 and whereas the new Regulation (EU) 2019/788 aims to address those issues in detail with regard to the effectiveness of the ECI as an instrument, and to bring improvements to the way it operates; whereas its implementation needs to be assessed effectively and in a timely manner, i.e. no later than 1 January 2024, and every four years thereafter’;

Amendment 4
Seán Kelly, Loránt Vincze

Draft opinion
Paragraph 3 – point 3

3. ‘whereas, in order to achieve those objectives, the procedures and conditions required for the ECI should ensure that valid initiatives are considered and

Amendment
3. ‘whereas, in order to achieve those objectives and achieve the full potential of the ECI, the procedures and conditions required for the ECI should ensure that
responded to appropriately by the Commission; whereas at least one million signatures from at least a quarter of the Member States are required for an ECI to be valid and to be submitted to the Commission; whereas Regulation (EU) 2020/1042 has made the time limits for the collection, verification and examination stages more flexible in response to the COVID-19 pandemic through the introduction of temporary measures; whereas the application of those measures has been extended through Commission implementing acts; whereas this regulation is only temporary in nature and applicable only until the end of 2022, which is also the date by which the individual online collection systems provided for by Article 11 of Regulation (EU) 2019/788 will be phased out’;

4. ‘whereas organising and supporting an ECI is a political right for the citizens of the Union and a unique instrument for setting the priorities for participatory democracy in the EU, allowing the public to play an active role in the projects and processes that concern them’;

valid initiatives are considered and responded to appropriately by the Commission; whereas the Commission is legally obliged to state the action it intends to take on a valid ECI, if any, and to state, in a detailed manner, the reasons for taking or not taking action; whereas at least one million signatures from at least a quarter of the Member States are required for an ECI to be valid and to be submitted to the Commission; whereas Regulation (EU) 2020/1042 has made the time limits for the collection, verification and examination stages more flexible in response to the COVID-19 pandemic through the introduction of temporary measures; whereas the application of those measures has been extended through Commission implementing acts; whereas this regulation is only temporary in nature and applicable only until the end of 2022, which is also the date by which the individual online collection systems provided for by Article 11 of Regulation (EU) 2019/788 will be phased out’;

Or. en

Amendment 5
Seán Kelly, Loránt Vincze

Draft opinion
Paragraph 4 – point 4

Draft opinion

4. ‘whereas organising and supporting an ECI is a political right for the citizens of the Union and a unique instrument for setting the priorities for participatory democracy in the EU, allowing the public to play an active role in the projects and processes that concern them; whereas there have been six successful European Citizens' Initiatives to date, most recently the "Minority Safepack" initiative and the "End the Cage Age" initiative; whereas the "Minority Safepack" initiative was the
first ECI to have been debated in the European Parliament based on the new Regulation(EU) 2019/788, and was overwhelmingly supported by Parliament in December 2020 with 76% of the votes cast;

Amendment 6
Pascal Durand

Draft opinion
Paragraph 4 a (new)

Draft opinion

Amendment

Paragraph 22 of the draft report of the Committee on Petitions touching upon the exclusive competences of AFCO should be changed as follows:

'Calls on the Ombudsman to check that the Union’s interests are not undermined by maladministration, cases of corruption or conflicts of interest, including in the context of Next Generation EU, the European recovery plan; emphasises that respect for the rule of law is an essential condition for access to EU funds; takes the view that this conditionality concerning respect for the rule of law and the fact that the European Union does not compromise on its values are factors that can strengthen citizens’ trust in the Union';

Amendment 7
Seán Kelly, Loránt Vincze

Draft opinion
Paragraph 6 – point 6

Draft opinion

Amendment
6. ‘Considers it essential that citizens be able to contribute to the exercise of the Union’s competences; considers it key, therefore, that valid ECIs should lead to the initiation of concrete proposals for both legislative and non-legislative acts referred to in Article 288 TFEU; recalls Parliament’s obligation to assess the measures taken by the Commission in line with Article 16 of Regulation (EU) 2019/788 and Rule 222(9) of Parliament’s Rules of Procedure, particularly when the Commission fails to put forward any such proposals or fails to implement them’;

Or. en

Amendment 8
François Alfonsi

Draft opinion
Paragraph 6 – point 6

6. ‘Considers it essential that citizens be able to contribute to the exercise of the Union’s competences; considers it key, therefore, that valid ECIs should lead to the initiation of concrete proposals for both legislative and non-legislative acts referred to in Article 288 TFEU; recalls Parliament’s obligation to assess the measures taken by the Commission in line with Article 16 of Regulation (EU) 2019/788 and Rule 222(9) of Parliament’s Rules of Procedure, particularly when the Commission fails to put forward any such proposals or fails to implement them’;

Amendment
6. ‘Considers it essential that citizens be able to contribute to the exercise of the Union’s competences; calls, therefore, on the Commission to carry out a thorough assessment of the proposals of each valid ECI, and to comply fully with its legal obligation to set out, in a detailed manner, its reasons for taking or not taking action; recalls Parliament’s obligation to assess the measures taken by the Commission in line with Article 16 of Regulation (EU) 2019/788 and Rule 222(9) of Parliament’s Rules of Procedure, particularly when the Commission fails to put forward any such proposals or fails to implement them’;

Or. en

Amendment 9
Pascal Durand
Draft opinion
Paragraph 6 – point 6 a (new)

6 a. ‘Believes that, in accordance with Article 15 of Regulation (EU) 2019/788 on the ECI, in case the Commission, within the given deadlines, has failed to publish its intentions, or has set out in a communication that it intends not to take action on an ECI which has met the procedural requirements and is in line with the Treaties, in particular the core values of the Union, enshrined in Article 2 of the TEU, Parliament could, in line with Rule 222 of its Rules of Procedures, decide to follow up on the ECI with a legislative own-initiative report (INL); urges the Commission to commit itself to submitting a legislative proposal following Parliament’s adoption of such an INL; proposes in that regard to modify the current framework agreement between Parliament and the Commission; asks that the ECI regulation be amended to incentivise the Commission to table a legislative proposal where the ECI submitted meets the relevant requirements’;

Amendment 10
Pascal Durand

Draft opinion
Paragraph 7 – point 7

7. ‘Calls on the Commission to clearly inform the public about the division of competences between the Union and the Member States to make sure that ECIs concern subjects and issues that fall within the remit of EU competences to propose
legal acts, and to provide practical and timely advice to the organisers on the drafting of ECIs and make adequate use of the possibility to partially register an ECI; emphasises that recently registered and ongoing ECIs have called for the EU to take more action, particularly in the fields of environmental protection, human and animal health, and civil and political rights; therefore reiterates the need to give the EU competences relevant to the proposal the broadest possible interpretation;

Or. en

Amendment 11
François Alfonsi

Draft opinion
Paragraph 7 – point 7

Draft opinion

7. ‘Calls on the Commission to clearly inform the public about the division of competences between the Union and the Member States to make sure that ECIs concern subjects and issues that fall within the remit of EU competences to propose legal acts, and to provide practical and timely advice to the organisers on the drafting of ECIs and make adequate use of the possibility to partially register an ECI; emphasises that recently registered and ongoing ECIs have called for the EU to take more action, particularly in the fields of environmental protection, human and animal health, and civil and political rights’;

Amendment

7. ‘Calls on the Commission to clearly inform the public about the division of competences between the Union and the Member States to make sure that ECIs concern subjects and issues that fall within the remit of EU competences to propose legal acts, and to provide practical and timely advice to the organisers on the drafting of ECIs and make adequate use of the possibility to partially register an ECI; emphasises that recently registered and ongoing ECIs have called for the EU to take more action, particularly in the fields of environmental protection, health, animal welfare, and civil and political rights’, including minority rights’;

Or. en

Amendment 12
François Alfonsi

Draft opinion

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Paragraph 7 – point 7 a (new)

*Draft opinion*

7 a. ‘Regrets the Commission’s reluctance to deal with successful ECIs; believes that the Commission should instead show genuine consideration and commitment to meeting citizens’ expectations whenever an ECI is successful’;

*Amendment*

Or. en

Amendment 13
Domènec Ruiz Devesa

*Draft opinion*

Paragraph 8 – point 8

8. ‘Asks the Commission to fully assess experiences with the introduction of the temporary measures in Regulation (EU) 2020/1042, with particular regard to the extension of the collection periods and its impact on organisers’ ability to mobilise support for their ECIs, in order to inform inter alia the review process of Regulation (EU) 2019/788’;

*Amendment*

8. ‘Asks the Commission to fully assess experiences with the introduction of the temporary measures in Regulation (EU) 2020/1042, with particular regard to the extension of the collection periods and its impact on organisers’ ability to mobilise support for their ECIs, in order to inform inter alia the review process of Regulation (EU) 2019/788’; *considers that if this assessment results in positive evidences, an extension of these temporary measures could be envisaged for a longer term*;

Or. en

Amendment 14
Pascal Durand

*Draft opinion*

Paragraph 8 – point 8

8. ‘Asks the Commission to *fully*’

*Amendment*

8. ‘Asks the Commission to *evaluate*’
assess experiences with the introduction of the temporary measures in Regulation (EU) 2020/1042, with particular regard to the extension of the collection periods and its impact on organisers’ ability to mobilise support for their ECIs, in order to inform inter alia the review process of Regulation (EU) 2019/788’;

9. ‘Calls on the Commission to outline the legislative and non-legislative measures which could be introduced to improve how the citizens of the Union can exercise their right to support an ECI, given the low number of valid ECIs that have ultimately been successful in providing for the initiation of legal acts; calls for a thorough assessment of the exercise of this right in the next EU citizenship report’;

Amendment

9. ‘Highlights the measures outlined in Regulation (EU) 2019/788 to improve how the citizens of the Union can exercise their right to support an ECI, given the low number of valid ECIs that have ultimately been successful in providing for the initiation of legal acts; calls for an assessment of the implementation of these measures; calls for a thorough assessment of the exercise of this right in the next EU citizenship report’;

Amendment 16
Pascal Durand
Draft opinion
Paragraph 10 – point 10

Draft opinion

10. ‘Highlights the need to establish a proper follow-up mechanism for unsuccessful ECIs in order to take citizens’ input seriously, including redirecting citizens to the Committee on Petitions, as

Amendment

10. ‘Highlights the need to establish a proper follow-up mechanism for unsuccessful ECIs in order to effectively assess citizens’ input, including redirecting citizens to the Committee on Petitions, as
the lack of impact could lead to disengagement; underlines the role that the Committee on Petitions must play throughout hearing processes; calls on the Commission to collaborate in a timely manner with Parliament after an ECI is deemed valid in order to enable Parliament to make full use of the three-month period for the organisation of hearings and prepare the plenary debates and resolutions on valid ECIs; insists that the objective of the longer timeframe under Regulation (EU) 2019/788 by which the Commission should respond to valid ECIs is fundamentally to enable the Commission to take full account of the views and positions on the ECIs expressed during the examination phase and to take due consideration of the possible options for the proposals for legal acts’;

Amendment 17
Domènec Ruiz Devesa

Draft opinion
Paragraph 11 – point 11 a (new)

Draft opinion

Amendment

11 a. Calls for a greater role of the European Parliament and a strengthening of its link with civil society organizations to channel their demands and help them to reinforce their involvement to strengthen the European Citizens’ Initiative and its implementation by the Commission in the cases in which these initiatives are validated;

Amendment 18
Domèneç Ruiz Devesa
11 b. Calls on the Conference on the Future of Europe, giving voice directly to the citizens to discuss the effectiveness of the implementation of the European Citizen's Initiative and its current legal framework and to promote the European Citizen's Initiative as a useful tool to enable them to participate in the implementation of the Union public policies.