



2017/2024(INL)

13.9.2017

OPINION

of the Committee on Petitions

for the Committee on Constitutional Affairs

on the revision of Regulation (EU) 211/2011 on the citizens' initiative
(2017/2024(INL))

Rapporteur: Jarosław Wałęsa

(Initiative – Rule 46 of the Rules of Procedure)

PA_INL

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. Considers the European Citizens' Initiative (ECI) to be an important instrument of direct and participatory democracy, enabling citizens to become actively involved in the framing of European policies and legislation; considers that the ECI should be made both transparent and effective; reaffirms the importance of active citizenship and participation as indicators of the existence of a functioning democracy and of a more inclusive political debate within the Union, especially considering the aftermath of the economic and financial crises in recent years and the impact thereof on public perceptions of the Union;
- 2. Considers it necessary to revise Regulation (EU) No 211/2011 on the European citizens' initiative¹, in timely fashion, with a view to resolving all of its deficiencies by proposing effective solutions that ensure that the procedures and conditions required for the ECI are genuinely clear, simple, easily applicable and proportionate;
- 3. Recalls that the Treaty on the European Union (TEU) enshrines the right of citizens to be involved in the democratic life of the Union and that the objective of the ECI is to allow citizens to exercise this right; notes the overly restrictive and burdensome form of the current ECI Regulation, making it very difficult to use;
- 4. Recalls that, of the 66 ECIs submitted, only 47 were registered by the Commission, of which only three had the required one million signatures and none led to a new legislative proposal;
- 5. Believes that the difficulties encountered by the organisers of ECIs and the limited legislative impact of successful initiatives have undermined the credibility of the ECI, leading to a decline in registered initiatives;
- 6. Regrets that despite the official request of the Parliament in its Resolution of 28 October 2015 on the European Citizens Initiative², the Commission did not include in its work programmes for 2016 and 2017 any reference to the review of the Regulation (EU) No 211/2011;
- 7. Considers that the ECI still has a lot of untapped potential that could improve the way that the Union functions on behalf of its citizens; calls for the comprehensive revision and simplification of the ECI aimed at overcoming the existing barriers and bureaucratic hurdles, making it more user-friendly and accessible to citizens;
- 8. Underlines that the ECI complements the citizens' right to submit petitions to the European Parliament and their right of appeal to the European Ombudsman; calls on the Commission to take into account the recommendations of the European Ombudsman and

¹ [Regulation \(EU\) No 211/2011 of the European Parliament and of the Council of 16 February 2011 on the citizens' initiative](#) (OJ L 65, 11.3.2011, p. 1).

² Texts Adopted, P8_TA(2015)0382.

the Committee on Petitions (PETI) in improving the functioning of the ECI;

9. Stresses the role of the European Parliament in promoting the participation of citizens of the Union; underlines the need to strengthen the European Parliament's action on ECIs and the openness of ECIs;
10. Calls upon the Commission to increase the transparency of its decision-making process and to formally clarify ECI admissibility criteria by exhaustively substantiating the reasons for ECI approval/rejection in all Commission Decisions published in the ECI register; calls upon the Commission, in the interest of establishing legal certainty, to codify the rulings of the Court of Justice and the General Court in the cases of *Anagnostakis v Commission*¹, *Costantini v Commission*², *Izsák and Dabis v Commission*³, as well as those relating to the “Minority Safepack”⁴, “Ethics for Animals and Kids”⁵, and “Stop TTIP”⁶ initiatives, amongst others; welcomes the Commission’s change in practice to allow for partial ECI registration; encourages the Commission, prior to the collection of statements of support from signatories, to ensure that proposed ECIs are not contrary to the values of the Union laid down in Article 2 TEU, as well as to the principles enshrined in the Union Charter of Fundamental Rights; encourages the Commission to take a more flexible approach to the partial registration process and calls upon the Commission to provide detailed answers and possible solutions when initiatives are declared inadmissible, enabling citizens to amend and resubmit them;
11. Stresses that in its judgment in “Stop TTIP”, the General Court underlined that the principle of democracy and the objective behind the ECIs require an interpretation of the concept of legal act which covers legal acts such as a decision to open negotiations with a view to concluding an international agreement, which manifestly seek to modify the legal order of the Union, like the TTIP and the CETA;
12. Calls for the simplification of the collection and verification of online signatures via the Online Collection Software (“OCS”) and for a progressive approach to countering the technological barriers to the OCS system; invites the Commission to address data requirement divergences in national systems, especially regarding nationality and place of residence, so as to encourage greater accessibility and cross-border participation among citizens from different Member States; proposes that the Commission runs a free, multilingual, centralised and permanent OCS system which would also be accessible to people with disabilities; suggests that this system make use of existing, proven online platform technologies and enable synergies with relevant social media, digital tools and mobile applications to galvanize more widespread signature collection, subject to control to prevent potential illegal abuse; welcomes the Commission’s public survey on creating a “Collaborative ECI Platform”; suggests that the Commission simplifies the forms for paper-based signature collection in order to make them more comprehensible and user-friendly; requests that the Commission clarifies whether all Union language versions of statement of support forms can be used in all EU Member States; invites the Commission

¹ ECLI:EU:C:2017:663; ECLI:EU:T:2015:739.

² ECLI:EU:T:2016:223.

³ ECLI:EU:T:2016:282.

⁴ ECLI:EU:T:2017:59.

⁵ ECLI:EU:T:2017:252.

⁶ ECLI:EU:T:2017:323.

to prolong the collection period to 18 months and to allow citizens' committees to freely choose the starting date for collecting signatures, which should be no later than two months after registration; recalls the position of PETI to encourage the civic participation of the younger generation by lowering the age limit for supporting and taking part in an ECI to 16 years;

13. Invites the European Commission and Member States to implement simpler and uniform online and offline signature collection rules in compliance with Union data protection laws and standards; calls on the Commission to further explore the possibility of creating a simplified voluntary online Union register where citizens can sign an ECI initiative;
14. Underlines the need for all parties involved, in the case of a successful citizens' initiative, to ensure speeding up procedures and appropriate timing;
15. Calls for greater transparency measures for ascertaining ECI financing and making this information directly available online to the public; invites the Commission to finance successful ECIs (i.e. those that have one million signatures); suggests that such financing proceed on a reimbursement basis of costs already incurred by ECI organisers/citizens' committees and previously recorded in the ECI Register; calls on the Commission to explore both existing budget lines dedicated to ECI funding, such as under the Europe for Citizens Programme, or any other future ECI funding programme, whether originating in the Commission or in the European Parliament;
16. Invites the Commission to address the real need to solve the economic burdens for the organisation of ECIs in order to guarantee equal opportunities among citizens; and invites the Commission to reduce costs, red tape and to provide financial support where appropriate;
17. Calls upon the Commission, other European Institutions and the Member States to promote the ECI through ongoing information campaigns and other initiatives aimed at strengthening citizen participation in the public life of the Union; underlines the need of addressing linguistic and other barriers related to cross-country campaigning for ECI support; calls upon the Commission to create an independent, physical and online one-stop shop for ECI information dissemination and citizen advisory services while using the existing resources such as Europe Direct Contact Centre in particular the provision of support in defining a compliant legal basis for an initiative; calls for a provision in the new Regulation on ECI communication activities at Union level; urges the Commission to link such efforts to the principles set out in the Union eGovernment Action Plan 2016-2020¹;
18. Urges the Commission to further build on the European Citizens' Initiative Day, organised every year to assess the state of implementation and the effectiveness of the ECI, by setting up an inter-institutional debate platform on the improvement of the ECI with the involvement of all relevant stakeholders;
19. Urges the Commission to ensure the follow-up of successful ECIs, by producing concrete legislative proposals or providing justifications for not doing so, while using the whole potential of the European Parliament as a co-legislator; calls for the maintenance of the

¹ (COM(2016) 179 final).

current system of designating lead committees thematically according to competence, with PETI as associated committee; recalls the importance of balanced public hearings and ensuring that an inclusive approach is taken to increasing attendance by various stakeholders; proposes holding a debate within the European Parliament on all successful ECIs that meet the criteria listed in the Regulation, and to conclude these debates with the adoption of a motion for resolution; underlines the importance of the reimbursement of travel expenses when possible both for the ECI organisers and the experts;

20. Invites the Commission to resolve the inherent conflict of interest in its current competing roles of assessing ECI admissibility, ruling on registration, and deciding exclusively on any legislative follow-up; notes the important role of the European Ombudsman in investigating the handling of ECI requests by the Commission, and especially cases of refusal to register an ECI; calls upon the Commission to establish a consultation procedure formalising the involvement of the European Parliament at the stage of ECI registration;
21. Asks the Commission to provide regular legislative improvements to the ECI, including by using the mandatory regular review on its implementation.

INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

Date adopted	7.9.2017
Result of final vote	+: 16 -: 2 0: 5
Members present for the final vote	Margrete Auken, Beatriz Becerra Basterrechea, Eleonora Evi, Peter Jahr, Rikke Karlsson, Jude Kirton-Darling, Svetoslav Hristov Malinov, Notis Marias, Roberta Metsola, Marlene Mizzi, Gabriele Preuß, Virginie Rozière, Sofia Sakorafa, Jarosław Wałęsa, Tatjana Ždanoka
Substitutes present for the final vote	Anne-Marie Mineur, Demetris Papadakis, Julia Pitera, Rainer Wieland
Substitutes under Rule 200(2) present for the final vote	Frank Engel, Lidia Joanna Geringer de Oedenberg, Monika Hohlmeier, Maria Lidia Senra Rodríguez

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

16	+
ALDE Group	Beatriz Becerra Basterrechea
ECR Group	Rikke Karlsson
PPE Group	Frank Engel, Monika Hohlmeier, Peter Jahr, Svetoslav Hristov Malinov, Roberta Metsola, Julia Pitera, Jarosław Wałęsa, Rainer Wieland
S&D Group	Lidia Joanna Geringer de Oedenberg, Jude Kirton-Darling, Marlene Mizzi, Demetris Papadakis, Gabriele Preuß, Virginie Rozière

2	-
ECR Group	Notis Marias
EFDD Group	Eleonora Evi

5	0
GUE/NGL Group	Anne-Marie Mineur, Sofia Sakorafa, Maria Lidia Senra Rodríguez
Vers/ALE Group	Margrete Auken, Tatjana Ždanoka

Key to symbols:

+ : in favour

- : against

0 : abstention