

# Institut für Europäische Politik e.V.

## *European Citizens' Initiative Recommendations*

The revision of the European Citizens' Initiative (ECI) regulation comes at a crucial time in European politics. Following Frans Timmermans' commitment to enhance the open dialogue of the European Commission with EU citizens in a moment when the ECI is running out of breath, the revision will give new impetus to the instrument. The Institut für Europäische Politik (IEP) welcomes the publication of the related roadmap and offers its expertise to find untapped opportunities for improvement. The following suggestions are a byproduct of one of the IEP's publications:

Katrin Böttger, Annette Knaut, Maximilian Conrad (Eds): *Bridging the Gap? Opportunities and Constraints of the European Citizens' Initiative*. Nomos: Baden-Baden 2016.

Based on the analysis provided in the book, the following problems should be investigated in the revision:

1. *Lack of clarity and transparency at the registration stage and the high rate of refusals or partial registrations of the proposed ECIs*

ECIs shall be adapted to their target group. EU citizens need better access to information, through the proliferation of fact sheets and the use of straightforward language, to facilitate understanding and to provide incentives for action. The ECI must remain accessible to the ordinary citizen. The underlying argument is that the ECI may have been conceived as a tool for citizens; in reality it better serves NGOs and professionalized CSOs. Often based in Brussels, such organisations have larger and better capacities, leaving the individual citizen as a "consumer of participation rather than actual actor in the decision-making process" (Böttger *et al.*, 2016). Better knowledge of the issues that are admitted (with case studies samples) is crucial to the reform of the ECI. As of now, the process prevents many citizens from taking the initiative.

2. *The divergences between and the level of signatories' data requirements in the different Member States, (resulting in complexity, administrative cost for Member States and the risk of excluding some groups of citizens)*

One of the main problems of the ECI is that data requirements differ among Member States. A successful ECI should be built on harmonised data requirements for signatories in all Member States. Consequently, every EU citizen would benefit from equal access to ECIs. A number of factors impede a user-friendly procedure, such as the information requirements for statements of support or the need to appear in a public office (online signatures require internet access, which might discourage

or prevent some citizens from participating) and disclosing one's ID number inter alia. With regard to the ID number requirement, the argument behind this standard is a political one. It hinges on the notion that the ECI is an instrument for the citizens and not for interest groups. However, one should take into account that the ECI offers a political voice which does not necessarily initiate legislative processes. The Commission itself functions as a gatekeeper for the admission of initiatives that comply with the framework established by the EU Treaties. Hence, lowering the standards may be enough to mitigate differences between Member States while also preserving the participatory nature of the ECI.

3. *The personal liability of citizens who set up ECIs, combined with the lack of legal personality of the citizens' committees, act as a deterrent to the setting up of ECIs in view of the heavy responsibility for the collected data*

The difficulty of initiating an ECI for the individual citizen shall not be underestimated. The current set up penalises the individual who has to bear the legal responsibility for the proposed ECI. If the ECI is truly meant to be an instrument for citizens, bridging the gap between EU policy-makers and EU citizens, it must not be burdensome to the citizen.

4. *The examination of and follow-up given to the initiatives having successfully collected the required support*

In a follow-up to the European Parliament resolution on the European Citizens' Initiative, adopted by the Commission on 2 February 2016, the European Parliament suggests that the Commission should continue to draw lessons from Member States as regards successful experiences in the implementation of participatory democracy mechanisms. The Commission shall take into consideration new developments and lessons learnt at national level in its assessment of future measures to improve the functioning of the ECI<sup>1</sup>. Indeed, it is essential to make successful ECIs more binding, otherwise citizens may feel they are not being listened to. This would in turn fuel Eurosceptic voices claiming that the EU does not listen and respond to its citizens.

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<sup>1</sup> See Schöpflin, G. (2016). Follow up to the European Parliament resolution on the European Citizens' Initiative. Available from: <http://www.citizens-initiative.eu/wp-content/uploads/2016/03/EC-FOLLOW-UP-TO-THE-REPORT-on-the-ECI.A8-0284-2015-1.pdf> . Accessed 14.06.2017.