

Member States' assessment of application of Regulation (EU) 2019/788 on the European citizens' initiative

Survey report

1. Introduction

The questionnaire was set up to gather information about Member States' experiences with the European citizens' initiative (ECI) under the revised set of rules applying since 1 January 2020, and their respective obligations and responsibilities.

Member States were invited to reply to the questionnaire via EUSurvey from 29 July 2022 to 15 November 2023. Twenty-five Member States¹ replied to the questionnaire. Information obtained through the questionnaire is complemented by publicly available information or information provided to the Commission by the Member States to ensure that for key aspects of the review all Member States are covered. Member States were also given the possibility to provide additional input or updates to their replies in June 2023.

2. Minimum age to support an initiative

In order to enhance the participation of young citizens in the democratic life of the Union, [Regulation \(EU\) 2019/788](#) on the European citizens' initiative² (the ECI Regulation) allows Member States to lower the minimum age for supporting ECIs to 16 years in accordance with national laws. Since the introduction of this provision, in three Member States the support age applicable to ECIs was lowered to 16: Estonia (as of 1 January 2020), Germany (as of 1 January 2023) and Belgium (as of 1 May 2023), meaning that there are now six Member States where the minimum support age is lower than 18. One Member State (Finland) has indicated plans to lower the minimum age to support ECIs to 16 and another Member State (Ireland) announced plans to examine the lowering of the minimum voting age. Table 1 provides an overview of the applicable minimum age for supporting ECIs in the 27 EU Member States.

Table 1: minimum age to support a European citizens' initiative – state of play (June 2023)

18 years old	BG, CZ, DK, IE, ES, FR, HR, IT, CY, LV, LT, LU, HU, NL, PL, PT, RO, SI, SK, FI, SE
17 years old	EL
16 years old	BE, DE, EE, MT, AT

¹ MT and NL did not reply to the questionnaire.

² [Regulation \(EU\) 2019/788](#) of the European Parliament and of the Council of 17 April 2019 on the European citizens' initiative (OJ L 130, 17.5.2019, p. 55).

In their feedback, 15 Member States reported that for the moment they did not envisage lowering the age to support ECIs to 16, while in another three (Latvia, Slovenia and Slovakia) no decision had been taken.

3. Sanctions

Most Member States provide for sanctions in their criminal codes or under other specific legislation, such as national laws implementing [Regulation \(EU\) 2016/679](#) (General Data Protection Regulation)³. Only one Member State (Germany) notified the Commission of new implementing measures in relation to the ECI. A draft law adopted by the Bundestag on 22 September 2022 provides for a new administrative offence in the event of deliberate multiple support for an ECI (through multiple use of own data or use of foreign or fictitious data).

4. Electronic identification (eID) means

Most Member States enable the use of electronic identification (eID) means for the purpose of signing ECIs.

Table 2: enabling eID in the central online collection system – state of play (November 2023)

Enabling eID	16 Member States (BE, CZ, DE, EE, ES, HR, IT, LV, LT, LU, MT, NL, AT, PT, SK, SE)
In the process of enabling eID	5 Member States (BG, DK, FR, PL, SI)
Not enabling eID	6 Member States (IE, EL, CY, HU, RO, FI)

A few of the Member States that do not yet enable the use of eID in the central online collection system have provided some details as to their ongoing work/plans, for example:

- France explained that an advanced digital identity solution is currently being developed with the first deployment forecast for 2024.
- Ireland plans to establish a notified eID in 2024 and will subsequently explore its integration with the central online collection system.
- Poland intends to enable the signing of ECIs through eID by integrating it into the central online collection system in the near future. In April 2023, Poland notified the national public electronic identification scheme to the Commission. The necessary work to enable real functionality is ongoing.

³ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (OJ L 119, 4.5.2016, p. 1–88)

- Sweden indicated a possible implementation in the near future.

5. Impact of the COVID-19 crisis

Most Member States consider that the COVID-19 crisis had not affected the ability of their administration to perform the verification process within the three-month deadline set by the ECI Regulation. Some Member States mentioned that due to the low number of statements of support that they were asked to verify, they did not encounter difficulties complying with the deadline.

Only 3 of the 25 Member States replying to the questionnaire declared that they had been impacted as follows:

- Germany explained that ‘[a]s a result of the COVID-19 situation, the Federal Administration Office (*Bundesverwaltungsamt*, BVA), responsible for the verification of signatures, experienced staff shortages. These could not otherwise be mitigated as staff were then also occupied with the Ukraine crisis, preventing evaluation within the three-month deadline’.
- Similarly, Portugal referred to some difficulties in performing the verification process within the three-month deadline due to ‘temporary and intermittent staff absence’.
- France explained that ‘[t]he fact that the collection period was extended to two years implied that more people changed their place of residence in the course of that period. Since residence information is necessary for the identification of signatories during the verification process, this had an indirect impact on France’s ability to perform a proper verification process. In response, France introduced a correction coefficient to establish, from a statistical point of view, the proportion of French people who have moved during the collection period’.

While most Member States highlighted that the temporary measures were not needed for the verification process, 6 Member States underlined the relevance of those temporary measures for organisers insofar as they enabled them to collect statements of support for a longer period, allowing a few initiatives to become successful.

6. Data protection (compliance with Article 19(6) ECI Regulation)

Among the 25 Member States replying to the questionnaire, 20 reported having in place a procedure for the deletion/destruction of statements of support (SoS) in line with Article 19(6) of the ECI Regulation. Most of these Member States did not provide any details of the procedures in place. Only one Member State (Romania) declared the existence of an internal procedure while another Member State (Lithuania) mentioned that a legal act is drawn up in relation to the deletion/destruction of the SoS at the end of the retention period.

The other 5 Member States replying to the questionnaire, declared that no specific procedure was in place, and that they simply comply with the retention deadline regarding both paper and electronic SoS.

One Member State (Czechia) explained that SoS would be kept for up to three years in compliance with national law requiring the retention of certain data for the purpose of investigating possible offences.

7. Certification of individual online collection systems

The individual online collection systems for the six initiatives that were registered after 1 January 2020 and used such systems, were certified by the Germany authority⁴.

In their feedback, the German authorities expressed the view that the one-month deadline for the certification of those systems is too short. They also underlined that, compared to the Commission's central online collection system, the certification of the individual collection systems required disproportionate effort from all Member States, as each had to have available the procedures and the resources to carry out certifications within the deadline. In its feedback, Germany reiterated its support for the phase-out of these systems by 1 January 2023 in accordance with Article 11(7) of the ECI Regulation.

8. Most significant improvements

All the changes introduced by the revised ECI Regulation are considered by one or more Member States (that replied to the questionnaire) to have contributed to the effective functioning of the ECI. Based on the results, the most significant improvements are:

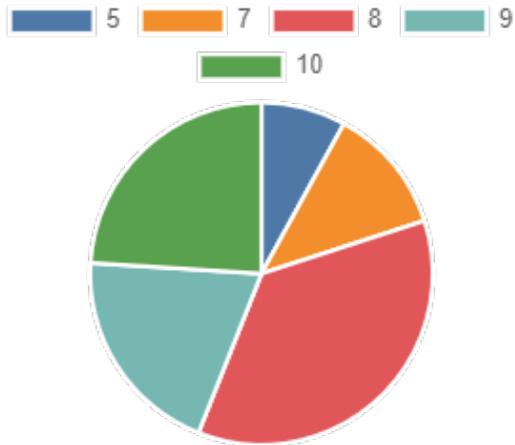
- 92% of the Member States: **easier access for citizens to support initiatives including through the central online collection system;**
- 48% of the Member States: **clearer rules** which make the ECI **more accessible;**
- 44% of the Member States: **enhanced support for organisers;**
- 32% of the Member States: **increased visibility of the ECI**, including with the help of *National Contact Points*.

⁴ [BSI - Erteilte Bescheinigungen über die Übereinstimmung individueller Online-Sammelsysteme mit der Verordnung \(EU\) 2019/788 \(bund.de\)](#)

Table 3: ‘From your perspective, which of the changes introduced so far contributed the most to the effective functioning of the ECI?’

		Answers	Ratio
Clearer rules which make the European citizens’ initiative more accessible	BE, DK, EL, ES, IT, HU, SI, LV, AT, PL, PT, SK	12	48 %
Clearer roles and responsibilities for personal data protection	DE, EL, LV, LU, PT	5	20 %
Enhanced support for organisers	BE, DE, EL, FR, LV, LU, HU, AT, PT, RO, SE	11	44 %
Easier access for citizens to support initiatives (also via the central online collection system)	AT, BE, BG, CZ, DK, IE, EL, ES, FR, HR, IT, CY, LT, LU, HU, LV, PL, PT, RO, SI, SK, FI, SE	23	92 %
Increased visibility for the ECI, including with the help of the National Contact Points	EE, EL, HR, LV, LT, AT, PT, RO	8	32 %
Higher impact for initiatives	EL, PT	2	8 %
None of the above		0	0.00 %

Chart 1: Member States' level of satisfaction with the revised ECI rules



More than 75% of the Member States that replied to the questionnaire rank their level of satisfaction with the revised rules above 8. The rest rank their level of satisfaction over 5.

Six Member States (Belgium, Germany, France, Luxembourg, Romania and Slovakia) specifically highlighted the central online collection system as one of the most valuable tools facilitating access to the ECI instrument.

One Member State (Italy) mentioned that the file exchange service along with the prevalence of online collection compared to paper collection have substantially increased the reliability of the data, thus facilitating the verification process.

9. Verification of statements of support (SoS) by competent authorities

Table 4: type of SoS requiring more efforts to verify, in terms of human resources and time, according to competent authorities. ('Rank the types of SoS from the most time and resources consuming to the most convenient to verify')

	1 ↓ ↑	2 ↓ ↑	3 ↓ ↑	4 ↓ ↑	Score ↓ ↑
Paper forms	83.33% 20	8.33% 2	8.33% 2	0% 0	3.75 24
Online forms via individual online collection systems (iOCS)	8.33% 2	91.66% 22	0% 0	0% 0	3.08 24
Central online collection system's online forms	8.33% 2	0% 0	66.66% 16	25% 6	1.91 24
Central online collection system's online forms where personal data have been completed with the eID scheme of the MS	0% 0	0% 0	25% 6	75% 18	1.25 24

According to the Member States, online forms via the central online collection system yield the best results. The Member States indicated paper forms as the least convenient type of SoS to verify, followed by online forms via individual online collection systems. Member States explained that paper forms are time-consuming to check because they require manual processing (Spain, Luxembourg) and because they can regularly be illegible or incomplete (Germany, Italy, Lithuania, Portugal, Slovakia and Finland).

As regards online forms, two Member States (Luxembourg and Finland) highlighted that contrary to online forms from the central online collection system, online forms via individual online collection systems tend to not be in the correct format, requiring some manual processing to fix the format before automatic processing.

In contrast, online forms from the central online collection system have the correct format, but citizens' mistakes in providing their personal data may also require further manual processing and research to verify these SoS. Two Member States (Croatia and Luxembourg) indicated that for the Member States which enable the use of eID to support initiatives, online forms completed with a national eID are the simplest to verify automatically, since the data are directly copied from the identity document without manual action: it is therefore always correct, and it matches exactly the content of the national database (which was used to issue the eID in the first place).

Table 5: ‘In your experience, which type of statements of support have the highest rejection rate?’

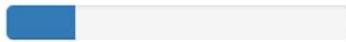
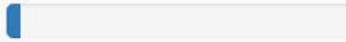
		Answers	Ratio
Paper forms		19	76.00 %
Online forms		5	20.00 %
eIDs in case of Member States having enabled it within the COCS		1	4.00 %

Table 6: most common irregularities encountered in the course of verification

	↓ ↑	Score	↓ ↑								
	1	2	3	4	5	6	7	8	9		
Lack of identity details or mistakes preventing authorities to identify the signatory	80% 40	12% 6	4% 2	4% 2	0% 0	0% 0	0% 0	0% 0	0% 0	8.68	
Multiple statements of support of the same signatory	8% 4	36% 18	20% 10	16% 8	4% 2	0% 0	12% 6	4% 2	0% 0	6.6	
Lack of coherence of the personal data provided in the form (i.a. missing data on paper form)	0% 0	24% 12	32% 16	24% 12	4% 2	12% 6	0% 0	4% 2	0% 0	6.36	
Signatory is not resident	4% 2	8% 4	8% 4	12% 6	28% 14	16% 8	16% 8	4% 2	4% 2	4.92	
Signatory is under the legal age for supporting an ECI	0% 0	12% 6	20% 10	4% 2	8% 4	4% 2	20% 10	20% 10	12% 6	4.28	
Scanned paper version is not readable	4% 2	4% 2	4% 2	12% 6	16% 8	16% 8	16% 8	16% 8	12% 6	4.04	
Invalid date (before or after the collection period) for Statements of Support	0% 0	0% 0	4% 2	4% 2	12% 6	36% 18	16% 8	24% 12	4% 2	3.56	
No signature and/or date found on the paper forms	4% 2	4% 2	8% 4	4% 2	8% 4	12% 6	20% 10	12% 6	28% 14	3.48	
The content of the initiative indicated on the form does not correspond to the text published in the ECI Register in the corresponding language	0% 0	0% 0	0% 0	20% 10	20% 10	4% 2	0% 0	16% 8	40% 20	3.08	

9.1.Verification method

From the 25 Member States replying to the questionnaire:

- **14 Member States** (Bulgaria, Czechia, Greece, Spain, France, Croatia, Cyprus, Latvia, Hungary, Austria, Poland, Romania, Slovenia, Slovakia) carry out an **exhaustive check** of all the SoS.
- **11 Member States** (Belgium, Denmark, Germany, Estonia, Ireland, Italy, Lithuania, Luxembourg, Portugal, Finland, Sweden) verify based on a **random sampling**.

Table 7: type of national register(s) relied on for the verification

Population register	BE, BG, CZ, DK, DE, EE, IT, CY, LV, LT, LU, HU, AT, PL, PT ⁵ , RO, SI, SK, FI, SE	20
Electoral register	IE, EL, ES, FR, HR	5

The **sample size** ranges from 1% (France), 1.5% (Italy), 2% (Ireland), 5% (Germany), 10% (Lithuania) to 37,5% (Portugal).

In 3 Member States (Belgium, Estonia and Luxembourg), there is no pre-determined sample size. The sample size is calculated for every new initiative to be verified depending on factors such as the number of SoS to be verified.

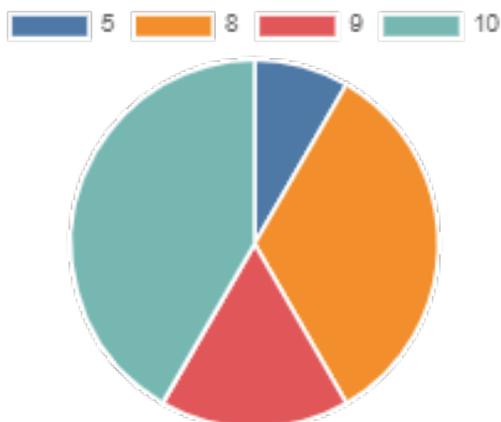
Two Member States (Denmark and Finland) which rely on random sampling, have not indicated the sample size they use.

The **margin of error** ranges from 1% (Greece), 2-3% (Belgium, Italy) to 5% (Estonia). Two Member States (France and Luxembourg) indicated that the margin of error is determined during each verification process, following the pre-established mathematical method.

⁵ PT ticked ‘other registry(ies)’ and refers to a ‘civil identification database’ that has been assimilated to a population register in the table results.

9.2. File exchange service

Chart 2: Member States' level of satisfaction with the support and guidance materials provided by the European Commission on the file exchange service



Overall, Member States are satisfied or very satisfied with the guidance materials provided by the Commission on the file exchange service.

Ten Member States (Czechia, Germany, Estonia, France, Croatia, Italy, Slovenia, Lithuania, Portugal and Romania) have not noticed any significant difference between the transfer process when the SoS were collected via the central online collection system or via an individual online collection system.

Four Member States (Belgium, Spain, Luxembourg and Slovakia) mentioned that the process is smoother and more standardised when the transfer is directly from the central online collection system.

Three Member States (Greece, Hungary and Austria) reported some difficulties when the SoS were transferred by organisers from an individual online collection system. They raised some technical issues in the management of the encryption process by organisers or the fact that the data from individual online collection systems requires some reformatting.

Potential improvements

One Member State (Germany) suggested reducing the data size at 800MB (one file was too large to read). Another Member State (Finland) would prefer receiving the SoS in a simple format (such as .txt or .csv) rather than as .xlm to facilitate their work while another (Lithuania) suggested that encryption and decryption be made possible in the cloud (online browser) to avoid the need to install additional software on individual work computers.

10. Information and assistance by Member States

72% of the 25 Member States that replied to the questionnaire indicated that they very rarely received **requests for information or assistance** about the ECI and none of the Member States indicated that they receive such requests regularly. 20% of Member States' National Contact Points (NCPs) reported that they never received requests for information from citizens about the ECI.

Table 8: frequency of citizens' requests for information or assistance about the ECI

		Answers	Ratio
Regularly (on a daily/weekly basis)		0	0.00 %
Occasionally (every month)	HR, AT	2	8 %
Very rarely (several times during a year)	BE, BG, DK, DE, EE, EL, IE, FR, IT, CY, LV, LT, LU, HU, PT, RO, FI, SE	18	72 %
Never	CZ, ES, PL, SI, SK	5	20 %

According to one Member State (Slovenia) this low figure means that the procedure is clear and works well and that organisers focus mainly on how to run an effective campaign for their initiative. They are therefore looking for effective communication channels, in particular through NGOs, in order to reach as many people as possible.

Similarly, another Member State (Luxembourg) considers that the particularly low number of requests can be explained by the recent improvements on several aspects of particular relevance at national level (central online collection system, file exchange service, legal and technical support from the Commission), since most requests for information they received at the beginning of the ECI were related to the individual online collection system certification process and the SoS verification approach used at national level.

One Member State (Spain) explained that despite promotion on their website and social media, they have not received any requests for information in the last three years. Another Member State

(Estonia) mentioned receiving occasional offers of cooperation from national organisations to raise awareness of the ECI together.

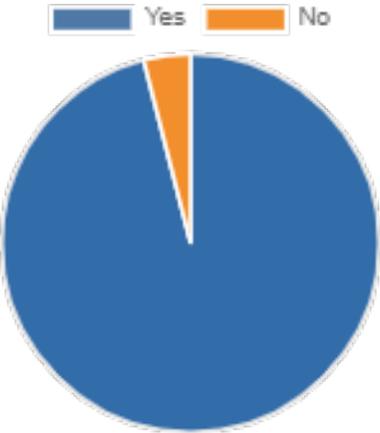
As regards the **means through which Member States provide information and assistance** to citizens and organisers, these are mainly: 1) through information published on their website (22 Member States); 2) responding to requests and questions from citizens/stakeholders/media (21 Member States) and 3) reaching out to other relevant national institutions and partners (12 Member States).

Table 9: means to provide information and assistance to citizens and organisers

		Answers	Ratio
By providing information on your institution website	BE, CZ, DK, DE, EE, EL, ES, HR, IT, CY, LV, LT, LU, HU, AT, PL, PT, RO, SI, SK, FI, SE	22	88 %
By promoting ECI through your institution's social media channels	DE, EE, ES, IT, LV, LT, PT	7	28 %
By promoting the ECI in relevant national events	ES, PT, RO	3	12 %
By creating targeted publications on the ECI (like leaflets or posters etc)	EL, HR, LT	3	12 %
By ensuring ECI visibility in public spaces	EL, AT, PL	3	12 %

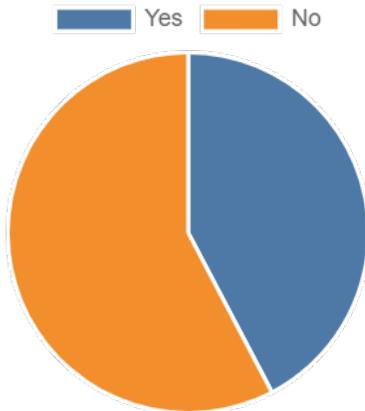
		Answers	Ratio
By reaching out with other relevant national institutions and partners	BG, EE, IE, FR, IT, LV, LT, LU, AT, PT, RO, SE	12	48 %
By responding to requests and questions from citizens/stakeholders/media	BE, BG, CZ, DK, DE, EE, EL, ES, FR, IE, HR, IT, CY, LV, LT, LU, HU, AT, PT, RO, SI	21	84 %

Chart 3: Member States’ satisfaction with information and documentation



Most NCPs (24 of the 25 Member States replying to the questionnaire) confirm having all the necessary information and documentation to confidently perform their role. Only one Member State (Czechia) indicated that the ECI was not a priority for their office, but rather one of a number of tasks.

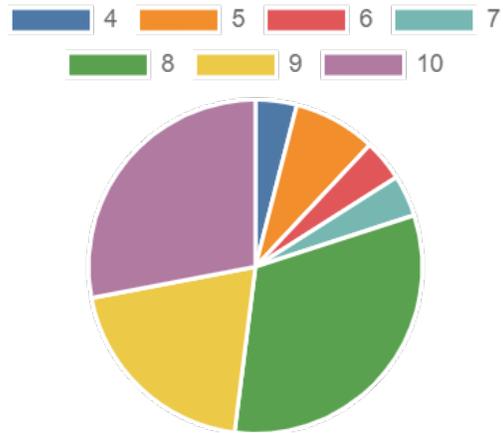
Chart 4: NCPs and cooperation with other actors at national level on informing about the ECI



Eleven Member States confirmed cooperating with other actors at national level on informing about the ECI. The additional information provided by Member States indicates that such cooperation might pursue different aims in practice, since they equally refer to cooperation with authorities in charge of verification of statements of support, cooperation with the Permanent Representation to the EU, with press or with civil society organisations in charge of specific missions.

Table 10 & Chart 5: Member States’ satisfaction regarding the ECI communication tools (ECI website, ECI Forum, ECI Guide, ECI podcasts and other)

Score	Member State(s)
10	BE, BG, IT, HU, RO, AT, SI, AT
9	FR, IE, LT, PL, SK
8	DE, EE, EL, HR, CY, PT, FI, SE
7	LU
6	CZ
5	ES, LV
4	DK



As far as improvements are concerned, one Member State (Portugal) asked for systematic translations of ECI communication tools and another Member State (Germany) suggested the publication of guidelines for contact points and the institutionalisation of a regular, general exchange between NCPs. In this respect, the Commission Secretariat-General’s ECI Team now

invites NCPs to online meet-ups of the ECI communication network which take place seven to eight times a year and provides multilingual content and other materials they can use for information and communication purposes. Another Member State (Luxembourg) underlined that standard messages, such as the small ‘insider tips’ article sent by ECI Team on 30 June 2022, are ideal for facilitating communication and gathering documentation about ECIs. The ‘insider tips’ article contained interactive tools such as a quiz on the ECI as a tool for participatory democracy as well as links to various communication materials for wider dissemination, including links to the ECI newsletter, podcasts and testimonials.

Equal access to information relating to initiatives

Eight Member States (Belgium, Germany, Estonia, Greece, Croatia, Luxembourg Portugal and Finland) referred to the accessibility of their website by persons with disabilities.

One Member State (Lithuania) produced a video about the ECI in its national language with subtitles and dubbing to ensure accessibility for people with vision or hearing impairments. The video was published on the Central Electoral Commission YouTube channel and a dedicated training course was produced to familiarise people with the ECI.