



## Public consultation on the European citizens' initiative

Fields marked with \* are mandatory.

### Introduction and about you

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The [European citizens' initiative](#), foreseen in the Treaty on European Union, allows EU citizens to participate directly in the development of EU policies by calling on the European Commission to make a legislative proposal. To be considered by the Commission, an initiative must gather the support of at least one million EU citizens from at least seven member states. The Commission must decide whether or not to make a legislative proposal, and explain the reasons for that choice.

The rules and procedures of the European citizens' initiative are set out in an [EU Regulation](#) adopted by the European Parliament and the Council of the European Union in February 2011 (for more information see the [website of the European citizens' initiative](#)). It is possible to organise such initiatives since April 2012.

In March 2015, the Commission identified a number of challenges with the current rules and procedures in a [report](#) on the application of the Regulation. Since then, stakeholders and institutions have assessed and evaluated the instrument, identifying a number of shortcomings in the way the instrument operates (for more information, see the [website of the European citizens' initiative](#)).

The Commission has decided to look into those concerns and announced earlier this year that it would propose a revision of the Regulation. This revision aims at:

- making the European citizens' initiative more accessible and easier to use for organisers and signatories;

- achieving the full potential of the European citizens' initiative as a tool to foster debate and citizen participation at EU level and contribute to bringing the EU closer to its citizens.

This consultation intends to gather the views of citizens and stakeholders on the current Regulation. It focusses on the shortcomings that have been identified and on options for improving this Regulation.

At the end of this questionnaire, you will have the possibility to add further comments or suggestions on the European citizens' initiative and to upload a document, such as a position paper, should you so wish.

**Replies are mandatory in the first two sections of the questionnaire ("Introduction and about you" and "The European citizens' initiative and you / General considerations"). The subsequent sections deal with the different aspects and stages of the lifecycle of a European citizens' initiative. You are encouraged to reply to the full questionnaire but should you so wish, you can already submit your contribution after the first two sections.**

This consultation is organised by:

European Commission - Secretariat-General

Unit C.4. Work Programme and Stakeholder Consultation

\* You are welcome to answer the questionnaire in any of the 24 official languages of the EU. Please let us know in which language you are replying.

- Bulgarian
- Croatian
- Czech
- Danish
- Dutch
- English
- Estonian
- Finnish
- French
- Gaelic
- German
- Greek
- Hungarian
- Italian
- Latvian
- Lithuanian
- Maltese

- Polish
- Portuguese
- Romanian
- Slovak
- Slovenian
- Spanish
- Swedish

\* You are replying

- as an individual in your personal capacity
- in your professional capacity or on behalf of an organisation

\* Respondent's first name

Elisa

\* Respondent's last name

Lironi

\* Respondent's professional email address

elisa.lironi@ecas.org

\* Name of the organisation

European Citizen Action Service (ECAS)

\* Postal address of the organisation

ECAS  
Avenue de la Toison D'Or 77  
1060, Brussels  
Belgium

\* Type of organisation

Please select the answer option that fits best.

- Private enterprise
- Professional consultancy, law firm, self-employed consultant
- Trade, business or professional association
- Non-governmental organisation, platform or network
- Research and academia
- Churches and religious communities
- Regional or local authority (public or mixed)
- International or national public authority
- Other

\* Is your organisation included in the Transparency Register?

If your organisation is not registered, we invite you to register [here](#), although it is not compulsory to be registered to reply to this consultation. [Why a transparency register?](#)

- Yes
- No
- Not applicable

\* If so, please indicate your Register ID number.

PIC: 959974469

\* Country of organisation's headquarters

- Austria
- Belgium
- Bulgaria
- Croatia
- Cyprus
- Czech Republic
- Denmark
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Ireland
- Italy
- Latvia
- Lithuania
- Luxembourg
- Malta
- Netherlands
- Poland
- Portugal
- Romania
- Slovakia
- Slovenia
- Spain
- Sweden
- United Kingdom
- Other

\* My contribution:

Note that, whichever option is chosen, your answers may be subject to a request for public access to documents under [Regulation \(EC\) N° 1049/2001](#)



**can be published with my organisation's information** (I consent to the publication of all information in my contribution in whole or in part including the name of my organisation, and I declare that nothing within my response is unlawful or would infringe the rights of any third party in a manner that would prevent publication)

- can be published provided that my organisation remains anonymous** (I consent to the publication of any information in my contribution in whole or in part (which may include quotes or opinions I express) provided that it is done anonymously. I declare that nothing within my response is unlawful or would infringe the rights of any third party in a manner that would prevent the publication.)

## The European citizens' initiative and you / General considerations

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**\* Do you consider that the European citizens' initiative has so far achieved its objective of fostering the participation of citizens in the democratic life of the EU and bringing the EU closer to the citizens?**

- Strongly agree  
 Rather agree  
 Neutral  
 Rather disagree  
 Strongly disagree  
 Don't know

**In your view, how important are the following considerations when revising the rules for the European citizens' initiative?**

**\* a) Signing an initiative should be as simple as possible (statements of support should be collected in a user-friendly way and the personal data requested should be kept to the minimum needed).**

- Very important  
 Rather important  
 Neither important nor unimportant  
 Rather unimportant  
 Not at all important  
 Don't know

**\* b) The rules and procedures for organising an initiative should not be burdensome and should remain proportionate to the nature of the tool (a tool for citizen participation which does not lead to a binding outcome).**

- Very important  
 Rather important  
 Neither important nor unimportant  
 Rather unimportant  
 Not at all important  
 Don't know

**\* c) Citizens' initiatives should be launched only on issues relevant to citizens in a significant number of member states.**

- Very important

- Rather important
- Neither important nor unimportant
- Rather unimportant
- Not at all important
- Don't know

\* d) Citizens' initiatives should foster debate and interactions between like-minded citizens across the EU as well as between themselves and the EU institutions.

- Very important
- Rather important
- Neither important nor unimportant
- Rather unimportant
- Not at all important
- Don't know

\* e) The rules for giving support to an initiative should allow the use of the best available technology in terms of security and user-friendliness.

- Very important
- Rather important
- Neither important nor unimportant
- Rather unimportant
- Not at all important
- Don't know

f) Other. Please specify:

*200 character(s) maximum*

In reference to sub-question d), why only like-minded people? Citizens' initiatives should also foster transnational debates between both like-minded and different-minded citizens!

**You have reached the end of the mandatory part of the questionnaire. The following sections deal with the different aspects and stages of the lifecycle of a European citizens' initiative. You are encouraged to reply to the full questionnaire but should you so wish, you can go directly to the final page of the questionnaire and submit your contribution.**

## Preparatory phase of a citizens' initiative / Citizens' committee

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A citizens' initiative must be organised by a citizens' committee of at least seven EU citizens residing in seven different Member States and of the age to vote in European Parliament elections. Before starting to collect statements of support from citizens, organisers need to register their proposed initiative with the Commission.

During the first five years of implementation, several committees raised the following concerns:

- potential issues related to their liability as they are responsible for collecting the statements of support (and therefore for protecting the personal data provided by signatories);
- obstacles, for example to raise funds and manage data protection, especially in view of the fact that they act as individuals (the citizens' committee has no legal personality) and reside in at least seven different countries.

**In accordance with the Regulation, the Commission has established a point of contact which provides information and assistance to organisers. Do you consider that the provision of information and assistance to organisers in this phase should be strengthened?**

- Strongly agree
- Rather agree
- Neutral
- Rather disagree
- Strongly disagree
- Don't know

**Assistance to organisers in the preparatory phase should be provided by:**

- The Commission through its point of contact ('helpdesk')
- Independent expert(s), for instance through an online collaborative platform
- Other

**Please specify:**

*500 character(s) maximum*

Civil society organisations have an important role to play in supporting e-participation mechanisms at institutional levels. A few NGOs are already supporting ECI organisers in their own capacity but it is essential to have the involvement of more organisations both at the national and the EU level.

**In your opinion, what would be the best way(s) to limit the liability of organisers?**

- Reduce the amount of personal data collected from signatories.
- Organisers should not be in charge of collecting statements of support (online collection should take place on a single platform, under the responsibility of a public authority and/or statements of support in paper form should be submitted by signatories to a public authority).
- Only collection of statements of support in paper form should be allowed.
- Only online collection of statements of support should be allowed.
- Initiatives should not be organised by citizens' committees, but only by organisations.
- Organisations should be allowed to be part of the citizens' committees.
- The citizens' committee should be required to register as a legal entity in one member state.
- Other

**Please specify:**

*500 character(s) maximum*

In a reference to the above question regarding limiting the liability of organisers: citizens' committees of an ECI should within the regulation be defined as a legal body of EU-lawmaking, and the organiser can therefore not be held individually liable.

**Do you have any other suggestions for improving this preparatory phase/the citizens' committee?**

*500 character(s) maximum*

## Registration phase

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To be registered, the proposed initiative must comply with the conditions set out in Article 4(2) of the Regulation, which require that:

- a citizens' committee has been formed and the contact persons have been designated;
- the proposed initiative does not manifestly fall outside the framework of the Commission's powers to submit a proposal for a legal act of the Union for the purpose of implementing the Treaties;
- the initiative is not manifestly abusive, frivolous or vexatious;
- the initiative is not manifestly contrary to the values of the Union as set out in Article 2 of the Treaty on European Union.

Since 2012, 45 initiatives have been registered. 21 requests for registration have been refused, all of them because they manifestly fell outside the framework of the Commission's powers. As the tool has

matured and the Commission's approach has evolved, registration rates have improved. Since the start of the Juncker Commission's mandate in November 2014 only one request for registration had to be rejected.

The Commission has taken a number of measures to improve the registration phase in order to make it more citizen-friendly, by:

- reinforcing the advice and support to organisers in this phase;
- allowing for the partial registration of proposed initiatives in cases where part(s) of the proposed initiative fall outside the Commission's powers (see decisions on the initiatives *'EU Citizenship for Europeans: United in Diversity in Spite of jus soli and jus sanguinis'*, *'Minority SafePack – one million signatures for diversity in Europe'* and *'Let us reduce the wage and economic differences that tear the EU apart!'*).

The Commission Decisions on the registration of such initiatives clarify the areas in which legal acts of the Union for the purpose of implementing the Treaties can be adopted and set out the understanding on the basis of which statements of support may be collected. Commission Decisions on registration are made available online in the register of citizens' initiatives in order to ensure transparency.

**Should the registration phase continue to include an admissibility check to verify that the proposed initiative does not fall outside the Commission's powers?**

- Yes
- No
- Don't know

**Should the legal assessment indicate that the proposed initiative partly or fully falls outside the Commission's powers:**

- Organisers can nevertheless collect statements of support provided that the signatories are made aware of the fact that (part of) the proposed initiative is outside the Commission's powers.
- The Commission should modify the text of the proposed initiative so that only the part inside the Commission's powers is registered.
- Organisers should have the possibility to redraft their proposed initiative so that it falls within the Commission's powers, on the basis of a preliminary assessment by the Commission. They could then collect statements of support on the basis of the redrafted initiative, once legally cleared.
- Organisers cannot collect statements of support (the proposed initiative is not registered).

**In order to redraft their proposed initiative, the organisers should have the possibility to be assisted by:**

- Independent expert(s), for instance through an online collaborative platform
- An officer within the Commission with an independent and impartial role for the European citizens' initiative ('hearing officer')
- Other

**Do you have any other suggestions for improving the registration phase?**

*500 character(s) maximum*

## Collection phase

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Organisers have 12 months to collect the necessary statements of support from citizens, as of the date of registration of their proposed initiative by the Commission. Signatories can give their support in paper form or online.

In order to collect statements of support online, organisers must build their online collection system and get it certified by a competent authority in the member state where the data collected will be stored before starting to collect statements of support online via this system.

To be certified, the systems must ensure among other things that the signatories' data are securely collected and stored. Certification can be requested by organisers before or after registering their proposed initiative with the Commission. However, the starting date of the collection period is in all cases the date of the registration of the proposed initiative with the Commission, regardless of whether the organisers' system has already been certified or not.

As foreseen in the Regulation on the European citizens' initiative, the Commission has developed open source online collection software which is available free of charge.

Organisers can use the Commission's software or another software of their choice. In addition to the software, organisers have to find hosting servers to put the collection system into operation.

Shortly after the entry into application of the Regulation, the first organisers of initiatives had difficulty finding appropriate and affordable hosting servers for their systems. In view of this obstacle that prevented organisers from starting to collect online, the Commission has exceptionally offered, beyond its obligations under the Regulation, to host organisers' online collection systems on its own servers, free of charge. Organisers using this solution still need to get their systems certified in accordance with the Regulation.

- **Online collection**

**The hosting of online collection systems exceptionally offered by the Commission should be:**

- Made permanent and remain optional (organisers could still build their own system and get it certified by the relevant national authority).
- Made permanent and simplified (transformed into an online collection platform readily available for organisers upon registration, without the need for a certification) while still remaining optional.
- Transformed into a single online platform for all initiatives (readily available for organisers upon registration, without the need for a certification), as there would be no real need for other online collection solutions.
- Stopped – organisers should find their own hosting provider, build their own online collection system and get it certified by the relevant national authority as foreseen in the current Regulation.

**To which extent do you agree on the importance of using new solutions for electronic identification such as eID or electronic signature for supporting initiatives?**

- Strongly agree
- Rather agree
- Neutral
- Rather disagree
- Strongly disagree
- Don't know

**Would these electronic identification solutions make the online collection more user-friendly for citizens and organisers?**

- Yes, clearly
- Yes, to some extent
- No, not really
- No, not at all
- Don't know

**To which extent do you agree that several ways for providing support to an initiative online (filling the form online, using eID, using other e-identification solutions) should be available in parallel in order to maximise the user-friendliness of the tool?**

- Strongly agree
- Rather agree
- Neutral
- Rather disagree
- Strongly disagree
- Don't know

- **Collection in paper form**

**In the case of a single online platform to gather support, how should the collection of statements of support in paper form be organised?**

- Organisers should collect statements in paper form and send them to the competent national authorities for verification at the end of the collection period. These statements would not be recorded on the online platform during the collection process.
- Organisers should collect statements in paper form and send them to the competent national authorities for verification at the end of the collection period. At the same time, they should have the possibility to record the number of statements collected in paper form on the online platform during the collection process.
- Organisers should collect the statements in paper form and subsequently introduce them in the online platform by scanning them and recording the number of statements collected.
- Organisers should collect the statements in paper form and subsequently introduce them in the online platform by typing in the personal data provided in each of them via a dedicated module.
- Collection in paper form should not be allowed.
- Other

- **Requirements for signatories**

Any EU citizen of the age to vote in European Parliament elections (18 years old in all EU countries except in Austria, where it is 16) is entitled to give support to an initiative. According to the Regulation, for that purpose, signatories have to fulfil the requirement of a link of nationality or residence with a given member state and provide personal data, allowing thereby that member state to verify its statements of support. These requirements vary from one member state to another.

The amount and types of personal data to be provided vary significantly depending on the country. This is related to the procedure for the verification of statements of support in place in each member state and/or to the organisation of their population registers. Sensitivity as regards the different types of personal data also varies depending on the country.

Examples of personal data which signatories are required to provide:

- Sweden, Lithuania, Hungary, Czech Republic: name, nationality and personal identification number
- Finland, Ireland, United Kingdom: name, nationality, address and date of birth.
- The Netherlands, Slovakia: name, name at birth, nationality, address, date and place of birth
- Austria, Italy, France: name, nationality, address, date and place of birth, ID card or passport number (for Italy also the issuing authority)

**In your view, should EU citizens residing outside the EU be allowed to support a European citizens' initiative?**

- Yes

- Yes, but only if they are eligible to vote in European Parliament elections
- No
- Don't know

**In your view, what should be the minimum age to give support to an initiative?**

- The minimum age should remain the age to vote in European Parliament elections (18 years old in all EU countries except in Austria where it is 16).
- It should be harmonised at 16.
- It should be harmonised at 18.
- Other

- **Personal data to be provided by signatories and subsequent verification process**

**In your view, what should be verified in relation to the signatories' personal data? Please keep in mind that a citizens' initiative is a tool for citizen participation which does not lead to a binding outcome.**

a) that data is not entered by a robot and that the overall probability of having entered fake data is below predetermined thresholds (based on data analysis techniques)

- Yes
- No
- Don't know

b) that a person corresponding to the data provided exists

- Yes
- No
- Don't know

c) that the person is eligible to support a citizens' initiative (old enough and EU citizen)

- Yes
- No
- Don't know

d) that the person has provided his/her own data (that he/she did not introduce someone else's data fraudulently)

- Yes
- No
- Don't know

e) that this person has not supported an initiative more than once.

- Yes
- No
- Don't know

f) other. Please specify:

*500 character(s) maximum*

**Which types of personal data do you think citizens would not be willing to provide when giving support to a European citizens' initiative? How does this vary between member states?**

*1000 character(s) maximum*

**The current Regulation sets out different data requirements for signatories depending on the member states (see above). Among the following options, which one do you think would be the most user-friendly?**

- Requiring the same set of personal data in all member states (without taking into account the different sensitivities) even if that means increasing the amount of data required in some countries and/or weakening the verification process.
- Requiring the same set of personal data in all member states. Then signatories may be contacted to provide additional personal data depending on the country they come from, for verification purposes.
- Requiring different sets of personal data and offering different ways of giving support as long as the most citizen-friendly solution is available to signatories depending on the country they come from (i.e. the most practical solution, collecting the minimum number of personal data while allowing for the required verification process).
- Requiring to provide only once the personal data needed by your member state for verification purposes in order to get credentials allowing you to support any initiatives.

**According to you, who needs to have access to the signatories' personal data?**

- Organisers or other persons acting on their behalf who collect the statements of support and the public authorities in charge of their verification.
- Only public authorities (which would be responsible for the collection and verification of the statements of support).
- Other

**Should signatories be kept informed about the initiative they have signed and its follow-up, for example by email?**

- Yes, by the organisers.
- Yes, by the Commission.
- Signatories should have the option to receive general information about the European citizens' initiative, including on other initiatives they might be interested in.
- No such information should be directly provided to signatories.

- **Time limit for the collection period**

**Should the time limit for collecting statements of support (12 months from the date of registration) be revised?**

- Yes
- No
- No if the modalities for the collection of statements of support are simplified (for example if organisers are no longer in charge of building their online collection system / if the personal data to be provided by signatories is simplified and/or harmonised).

**In your view, how should the time limit be changed?**

- It should be extended to 18 months.
- It should be possible for the organisers to choose the start date of their collection within a given time period, while the 12-month collection period is kept.
- It should be extended to 18 months and it should be possible for the organisers to choose the start date of their collection within a given time period.
- There should be no time limit.
- Other

**Do you have any other suggestions for improving the process of collection of statements of support and their verification?**

*500 character(s) maximum*

## Submission to the Commission and follow-up

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Once an initiative reaches at least one million signatories and the necessary thresholds in at least 7 member states and after verification of the statements of support by the competent national authorities, the organisers can submit their initiative to the Commission. Once the statements of support have been verified (which can take up to three months), there is no specific time limit for the submission of a successful initiative to the Commission. This is a potential source for confusion and uncertainty both for the institutions and the public.

The submission of the initiative triggers a 3-month examination procedure including the following steps:

- Commission representatives meet the organisers so they can explain in detail the issues raised in their initiative;
- the organisers have the opportunity to present their initiative at a public hearing in the European Parliament;
- the Commission adopts a formal response spelling out what action it will propose in response to the citizens' initiative, if any, and the reasons for doing or not doing so.

This response takes the form of a communication which is formally adopted by the College of Commissioners and published in all official EU languages.

Since 2012, three initiatives have been through this procedure. The following concerns have been raised by different stakeholders:

- Discussions during the public hearings at the European Parliament did not ensure stakeholders representing different views and perspectives to be heard.
- The 3-month period for the preparation of the Commission reply to a successful initiative proves very short and does not leave enough time to organise a formal stakeholder consultation, in addition to the public hearing.

**Do you think that there should be a time limit for the submission of a successful initiative to the Commission?**

- Yes
- No
- Don't know

**In your view, what should be this time limit?**

- Less than six months from the end of the collection
- Between six months and one year from the end of the collection
- More than one year from the end of the collection
- Don't know
- Other

**According to you, what would be the best way(s) to ensure that stakeholders representing different views are heard before the Commission replies to the initiative?**

- The public hearing in the Parliament should ensure that different views are represented by inviting various stakeholders to speak, in addition to the organisers.
- The Commission should be given more time before its reply so that it can consult widely and transparently (for example by organising an open public consultation).
- Other

**Should the [European Parliament](#) and the [Council](#) be invited to express their views before the Commission takes position on a successful initiative?**

- Yes
- No
- Don't know

**Do you have any other suggestions for improving the examination procedure and the possible follow-up to initiatives that have reached the required number of signatories?**

*1000 character(s) maximum*

The Commission should make the most concrete, detailed communication possible in its follow-up to initiatives that reach the required number of signatories. This gives the organiser the opportunity to concretely follow-up with their political campaigns and have a political debate with facts and figures provided by the Commission. E.g., in an environmental protection initiative which the Commission does not approve because of the argument of high costs, the Commission should sufficiently explain its reasoning including concrete financial facts.

## Transparency and awareness-raising

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**What more could be done to better inform citizens and communicate on the European citizens' initiative?**

*750 character(s) maximum*

European citizens are generally unaware of the existence of the ECI. The Commission should insist Member States do their part in communicating the existence of this tool for participatory democracy. For example, where MS already have national platforms for civic engagement, the ECI should be published also on those web pages. The Commission could also reach out directly to national civil society organisations for their support. On the short term, the Commission should publish a regular ECI newsletter for

organisers, signatories and interested citizens with information about ECIs in a particular field or milestones that ECIs reach.

## Other comments, document upload and submit

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If you wish to add further comments or suggestions on the European citizens' initiative, please feel free to do so here.

*1000 character(s) maximum*

As a member of the Stakeholders' Group of the REFIT Platform, ECAS submitted an evidence-based opinion calling for a a revision of the European Citizens' Initiative (ECI) Regulation. This opinion was adopted in June 2016 by the REFIT Platform and includes more details on how to make the ECI fit-for-purpose.

Please find the REFIT Opinion here: [https://ec.europa.eu/info/sites/info/files/opinion\\_european\\_citizen\\_initiative\\_final.pdf](https://ec.europa.eu/info/sites/info/files/opinion_european_citizen_initiative_final.pdf)

Please feel free to upload a concise document, such as a position paper. The maximal file size is 1MB.

*Please note that the uploaded document will be published alongside your response to the questionnaire which is the essential input to this open public consultation. The document is an optional complement and serves as additional background reading to better understand your position.*

**f26e91ba-3be8-40fc-a1e6-b4d083e5a0ef/opinion\_european\_citizen\_initiative\_final.pdf**

### Contact

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