

# EU Civil Society Contact Group

Brussels, 20 January 2010

## **Response by the EU Civil Society Contact Group to the EC Consultation on the *Green Paper on a European Citizens' Initiative***

**The EU Civil Society Contact Group is registered in the Commission register of interest representatives under registration number 8810639569-19**

### **Contact persons for this submission:**

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### Introduction:

The EU Civil Society Contact Group (CSCG) brings together eight large NGO sectors - culture, environment, education, development, human rights, public health, social and women. The members of these sectoral platforms are European NGO networks. They speak for hundreds of thousands of associations across the Union, linking the national with the European level, representing a large range of organised interests.

Jointly we aim to represent the views and interests of civil society organisations across the European Union on issues which affect us across our sectors of activity. Our objective is to encourage and promote a transparent and structured civil dialogue that is accessible, properly facilitated, inclusive, fair, and respectful of the autonomy of NGOs.

We have called for and support the Citizens' Initiative which is now enshrined in the Lisbon Treaty. In our view, this is an important new step to increase public participation in EU decision-making. We welcome the fact that the European Commission acting now to implement this provision, and that it begins this work with a public consultation on the modalities for implementation.

Below are our answers to the questions raised in the Green Paper. We reserve the right throughout the rule-making process to adjust our positions in light of the concrete proposals that the Commission will put forward.

## **1. Minimum number of Member States**

***Do you consider that one third of the total number of Member States would constitute a "significant number of Member States" as required by the Treaty?  
If not, what threshold would you consider appropriate, and why?***

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We consider that one quarter of the total number of Member States would constitute a “significant number of Member States” as required by the Treaty. This would strike the right balance between adequate representativeness and facilitating the use of the instrument. Given the large number of EU Member States, and the fact that the Union is set to grow further, a higher threshold would deter many citizens' organisations from using the instrument.

## **2. Minimum number of signatures per Member State**

***Do you consider that 0.2% of the total population of each Member State is an appropriate threshold?***

It is our understanding that the 0.2% threshold only applies to the minimum number of Member States referred to in the previous question, and that support from citizens in other countries will also be counted towards the one million supporter benchmark, even when the total number of supporters from these other countries is below the 0.2% threshold. If that understanding is correct then we would agree that 0.2% is an appropriate threshold to be applied to the minimum number of countries referred to in the previous question.

## **3. Eligibility to support a citizens' initiative – minimum age**

***Should the minimum age required to support a European citizens' initiative be linked to the voting age for the European Parliament elections in each Member State?  
If not, what other option would you consider appropriate, and why?***

There is no reason to link the minimum age for participating in a European Citizens' Initiative to voting age. The EU Citizens' initiative is different in legal character from voting in parliamentary elections or in referenda that bring about direct, legally binding outcomes. Rather, the Citizens' Initiative will trigger a legislative process in its own right, which will in general involve co-decision of the European Parliament and Council, and last several years. Therefore, it is justifiable to allow EU citizens to support European Citizens' Initiatives at a younger age. This would also help fostering a sense of European citizenship. The minimum age should therefore be not more than 16 years.

## **4. Form and wording of a citizens' initiative**

***Would it be sufficient and appropriate to require that an initiative clearly state the subject matter and objectives of the proposal on which the Commission is invited to act?***

Yes. If the Commission considers that the subject matter and objectives are not stated clearly, it should contact the initiator within two weeks of receiving notification of the initiative to seek clarification.

## **5. Requirements for the collection, verification and authentication of signatures**

It is important that Citizens' Initiatives can use internet based solutions for gathering support across the EU, with only one set of requirements for collection and verification. 'Signature' should be understood to include electronic signatures.

In line with our view that the Citizens' Initiative should be an effective tool for citizens' participation in EU policy-making, we favour any approach that is light on administrative requirements. We are concerned that some of the options mentioned in the Green Paper would be burdensome, disproportionate, and discourage the use of the instrument. For example, it would seem a disproportionate burden to require that citizens « sign initiatives only in officially designated centres », given that European Citizens' Initiatives do not have the legal character of elections or referenda where such rules apply.

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Similarly, it will be important to ensure that verification takes place, as spot checks, once the Commission receives the one million signatures. It would be overly burdensome if the initiators had to carry out verification of each signature themselves, especially if this involved cross-checks with official national registers.

To properly implement the Treaty provision, full harmonization of procedural requirements will be necessary. Most not-for-profit citizens' organisations do not have the administrative resources that would allow them to adapt an initiative to a multitude of potentially very different national procedures.

***Do you think that there should be a common set of procedural requirements for the collection, verification and authentication of signatures by Member States' authorities at EU level?***

Yes, at EU level.

***To what extent should Member States be able to put in place specific provisions at national level?***

Not at all

***Are specific procedures needed in order to ensure that EU citizens can support a citizens' initiative regardless of their country of residence?***

Yes. It must be possible for EU citizens to support a Citizens' Initiative regardless of their country of residence, simply by providing their name and address.

***Should citizens be able to support a citizens' initiative online? If so, what security and authentication features should be foreseen?***

Online support must definitely be possible. Security and authentication features should be simple. They should primarily allow for verification of identities, to ensure that supporters are genuine.

## **6. Time limit for the collection of signatures**

***Should a time limit for the collection of signatures be fixed? If so, would you consider that one year would be an appropriate time-limit?***

Yes, there should be a time limit of eighteen months. This would strike the right balance between relevance of the topic and complexity of a campaign working throughout the EU.

## **7. Registration of proposed initiatives**

***Do you think that a mandatory system of registration of proposed initiatives is necessary?***

Yes

***If so, do you agree that this could be done through a specific website provided by the European Commission?***

Yes

## **8. Requirements for organisers – Transparency and funding**

***What specific requirements should be imposed upon the organisers of an initiative in order to ensure transparency and democratic accountability?***

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Organisers should provide information about their organisation and the finances involved in their campaign, including information on amounts and sources of funding. Organisers and affiliated groups must not be allowed to reward (in money or in kind) citizens for signing up to the initiative.

***Do you agree that organisers should be required to provide information on the support and funding that they have received for an initiative?***

Yes

## 9. Examination of citizens' initiatives by the Commission

***Should a time limit be foreseen for the Commission to examine a citizens' initiative?***

Within three months of the initiative having reached one million signatures, the Commission should respond publically as to whether or not it intends to act on the initiative. If it proposes not to act on the initiative, it should provide clear reasons for not acting. If it intends to act, it should adopt its proposal within 12 months of having given its initial response. To ensure that the Commission has properly understood the intentions of the initiative, it should meet with the initiators as representatives of the one million citizens, and give them the opportunity to comment on the Commission's proposal before its adoption.

## 10. Initiatives on the same issue

***Is it appropriate to introduce rules to prevent the successive presentation of citizens' initiatives on the same issue?***

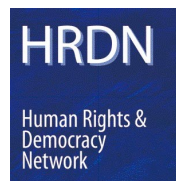
No. It would seem strange to introduce such a rule, especially given the fact that the EU does not apply similar restrictions in case of national referenda.

### Additional Consideration

We would like to draw attention to one issue not raised in the Green Paper.

#### Long term residents who are citizens of third countries

There are a number of people living in EU Member States who are citizens of third countries but who have resided in the EU for a number of years. It would be worth considering whether, subject to a minimum number of years of residence, such citizens of third countries should be given the opportunity to participate in citizens' initiatives.



The European Forum  
for the Arts and Heritage



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