



Your guide to the European Citizens' Initiative

2nd edition - March 2012



European Economic and Social Committee



Dear Readers,

From April 2012, European citizens will enjoy a new right, which will give them a stronger voice in EU affairs when the European Citizens' Initiative enters into force. From that moment on, citizens will be able to express their demands in a new, unprecedented way. By collecting one million signatures across Europe, they can call upon the European Commission to propose or change European legislation. In this way, citizens can push a question onto the EU's agenda and thus become an active player on the European scene.

While some citizens already enjoy similar rights in their city, region or even at national level, it is the first time that such a mechanism will be used on a transnational scale. However, collecting one million signatures among 500 million Europeans, from 27 member states speaking different languages, will be no easy task. It will require a lot of hard work, dedication and collaboration with like-minded citizens across Europe.

This guide is to provide you with an idea of how to get involved. In nine steps, it explains what organisers of a European Citizens' Initiative will have to do, at what point, what the hurdles and procedures are: from the first idea to registration, to collecting signatures to, hopefully, presenting your million signatures to the European Commission.

The European Economic and Social Committee has been an advocate of citizens' rights to participate, and the voice of civil society, since the beginning of the European project. We supported the idea of a Citizens' Initiative from the start and fought for a simple, understandable set of rules. It is our strong belief that thoughtful and committed citizens can change the world.

We want citizens to make ample use of their new right, to get involved in European issues that shape their everyday lives, and to shake up the European agenda. We hope that this manual will help you do that. Best of luck!

*Staffan Nilsson
EESC President*

*Anne-Marie Sigmund
Rapporteur on the Citizens' Initiative*

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A photograph of a man in a dark suit and striped tie, holding a green pen over a white document. The image is partially obscured by a white and green graphic overlay at the bottom.

Towards a trans-European participatory democracy

Participation and Representation: the two facets of modern democracy

Democracy, people-power, can be expressed in different ways. In a modern representative democracy such as the European Union, both direct and indirect ways of agenda setting and decision-making are available. While representative democracy is expressed through elected institutions like the European Parliament, participatory democracy has now been enshrined in the European treaties, through new tools like the European Citizens' Initiative (ECI). It is important to emphasise that, in a modern democracy, participatory democracy does not and cannot replace representative democracy: direct and indirect democratic channels complement each other – at local, regional, national and transnational level.

The EESC, a focal point for transnational participatory democracy

Since the beginning of the European integration process in the 1950s, the European Economic and Social Committee (EESC) has worked as a bridge between civil society organisations and the European institutions. Even long before participatory democracy was formally enshrined in the EU Treaty, the Committee has been acting as a forum of European participatory democracy, calling for citizens and their representative organisations from across the continent to have a voice in the decisions that affect them.

By being a non-partisan consultative body to the EU institutions, the Committee has been instrumental in expressing civil society viewpoints and opinions and in influencing European legislation. Its 344 members from the 27 EU member countries represent a broad spectrum of organisations in the socio-economic, professional, civic and cultural areas.

The Lisbon Treaty: a window of opportunity

It took half a century of European integration before European citizens received their very own direct access to transnational democracy. Article 11 of Treaty on the European Union is groundbreaking as it offers four important tools for transnational participation: information, consultation, dialogue and agenda setting are the key concepts that provide many new opportunities.

Citizens and representative associations should be given the opportunity to make known and exchange their views about everything the EU decides and does. Furthermore, the concept of 'civil dialogue' is enshrined in the treaty, requiring all institutions to maintain an open, transparent and regular dialogue with civil society. In particular, the Commission is also required to consult widely with interested parties to ensure that the Union's actions are consistent and transparent. Finally, Article 11 creates the citizens' right of initiative.

The EESC plays a central role in all these processes – being the bridge between civil society organisations and EU institutions, providing a forum for consultation and information and an arena in which they can air their views, as laid down in the Treaties.



User Guide to the European Citizens' Initiative (ECI)

The new agenda setting and transnational tool

The European Citizens' Initiative is a key feature of the Lisbon Treaty's section on participatory democracy. The new instrument gives one million EU citizens from at least seven member states the right to ask the Commission to propose new EU legislation. The ECI has an agenda-setting function; citizens can identify a problem and call for action. As a consequence, the ECI is not a petition (which already exists in the EU for individuals and groups), nor is it an instrument of direct decision making by citizens at EU level such as a referendum.

The ECI is often considered as the equivalent to the Parliament's and Council's rights to request the Commission to propose new legislation. The Commission then has to consider seriously what, if anything, do to, and to justify that. In short, the ECI is, both by its transnational and agenda setting character, a unique way for citizens to participate in modern democracy. It opens up the avenue for both citizen-to-citizen dialogue across Europe and citizens-to-institutions communication from "below". The first European Citizens' Initiative can be registered with the European Commission on 1 April 2012.

As a citizen, you can already either petition the European Parliament (www.europarl.europa.eu/parliament/public/staticDisplay.do?id=49) or, in case of maladministration, lodge a complaint with the European Ombudsman (www.ombudsman.europa.eu).

Article 11(4) of the Treaty on the European Union

Not less than one million citizens who are nationals of a significant number of Member States may take the initiative of inviting the European Commission, within the framework of its powers, to submit any appropriate proposal on matters where citizens consider that a legal act of the Union is required for the purpose of implementing the Treaties.



Step by step: Manual for a successful European Citizens' Initiative

The early stages

At the beginning, there must be an idea about a European problem, which might require a European solution.

Already at this initial stage it will be important to consider the procedural framework, and the whole process you need to go through, in order to determine whether the ECI is the best tool to use. There may be other, easier ways to address the EU institutions from a citizens' perspective, such as individual contacts with MEPs or institutions, lobbying efforts or a traditional petition.

Choosing to use an ECI is certainly the most powerful, but also the most complex and long-term way to address the European Union.

The critical preparation phase

Before making a first attempt at drafting and registering a European Citizens' Initiative, organisers need to gather a great deal of information. As soon as an initiative is officially registered and published, the clock will start to tick.

So, time is needed to access and gather all possible information about the procedure itself and about the chosen substantive issue:

- Is there any existing EU legislation on the issue?
- Under which legal basis in the Treaty shall the proposal be launched?
- Is the issue within the EU's remit?

Therefore, the first thing to look at is whether a proposal is "admissible". This means that it has to be within the powers of the Commission and must not contradict any of the requirements in the ECI regulation. For example, it has to be compatible with the Charter of Fundamental Rights.

As the initiative will only be successful if it can convince at least one million EU citizens from at least seven member states, a sustainable communication strategy must also be designed before registration. Already at this early stage it will be vital to get in touch with potential partners in other member states and to start creating a network of people who will join in and are ready to contribute. In short, any work done before registration will save time for the genuine initiative work during the official period.

Be also aware that organising a Citizens' Initiative will require resources and money. While some work may be done with volunteers, organisers will probably need sponsors and supporters. Keeping track of financial support is vital, as this information will have to be disclosed at registration.

Seven people, seven states, one hundred characters

Having done the basic home work, it is now time to lay the foundations for a European Citizens' Initiative. This includes the formation of an "initiative committee" (the so-called "organisers"), which is to be made up of at least seven individuals from at least seven different EU member states. Among the organisers, a main contact person and a deputy have to be chosen.

It is also time to write and finalise the written text of the initiative, which has to fulfil certain formal requirements outlined in the official forms. Initiative titles may not exceed one hundred characters, the description of the proposal not more than two hundred characters and the explanatory remarks, which concern the objectives of the ECI, not more than five hundred characters.

Finally, organisers must provide information about their funding and supporters. This information will have to be updated during the process – on the dedicated ECI website established by the Commission (see below).

Checkpoint One: Registration

Formally registering an ECI with the European Commission is very straightforward. The Commission provides a website (officially called the "register") on which ECIs can be submitted online by filling in the required information. This will produce a first official response, the Commission's acknowledgement of registration.

Through their account in the register, the organisers can manage all communication with the Commission as well as create the appropriate forms to collect signatures, upload translations, update the information on funding and ultimately submit the signatures. It also serves as a contact point for organisers with the Commission, in case of enquiries and problems.

Now it will be the Commission's turn to check the admissibility of the proposed ECI. This will create an initial dialogue and a channel for communication between both parties.

Within two months of the submission, the organisers will get a formal response from the Commission. Either the initiative will be legally registered and published on the website, which will start the signature gathering period, or the initiative will be rejected on legal grounds. This could be the case if, for example, the Commission considers it has no competence in the particular field, because it is an area that concerns member states only, or because it considers the ECI to be in violation of the Charter of Fundamental Rights.



In case of rejection, organisers will have of course the right to appeal such a decision, for example by contacting the European Ombudsman or challenging the decision before the European Court of Justice.

It is important to know that an ECI can be registered in any of the 23 official languages of the EU, but that organisers will have to provide the texts in the other languages chosen and that signatures can only be gathered on these registered forms. The organisers will – after the initial registration – be able to upload further language versions of the proposed initiative. They themselves are responsible for translations, but the Commission will check whether those translations correspond to the original version of the ECI.

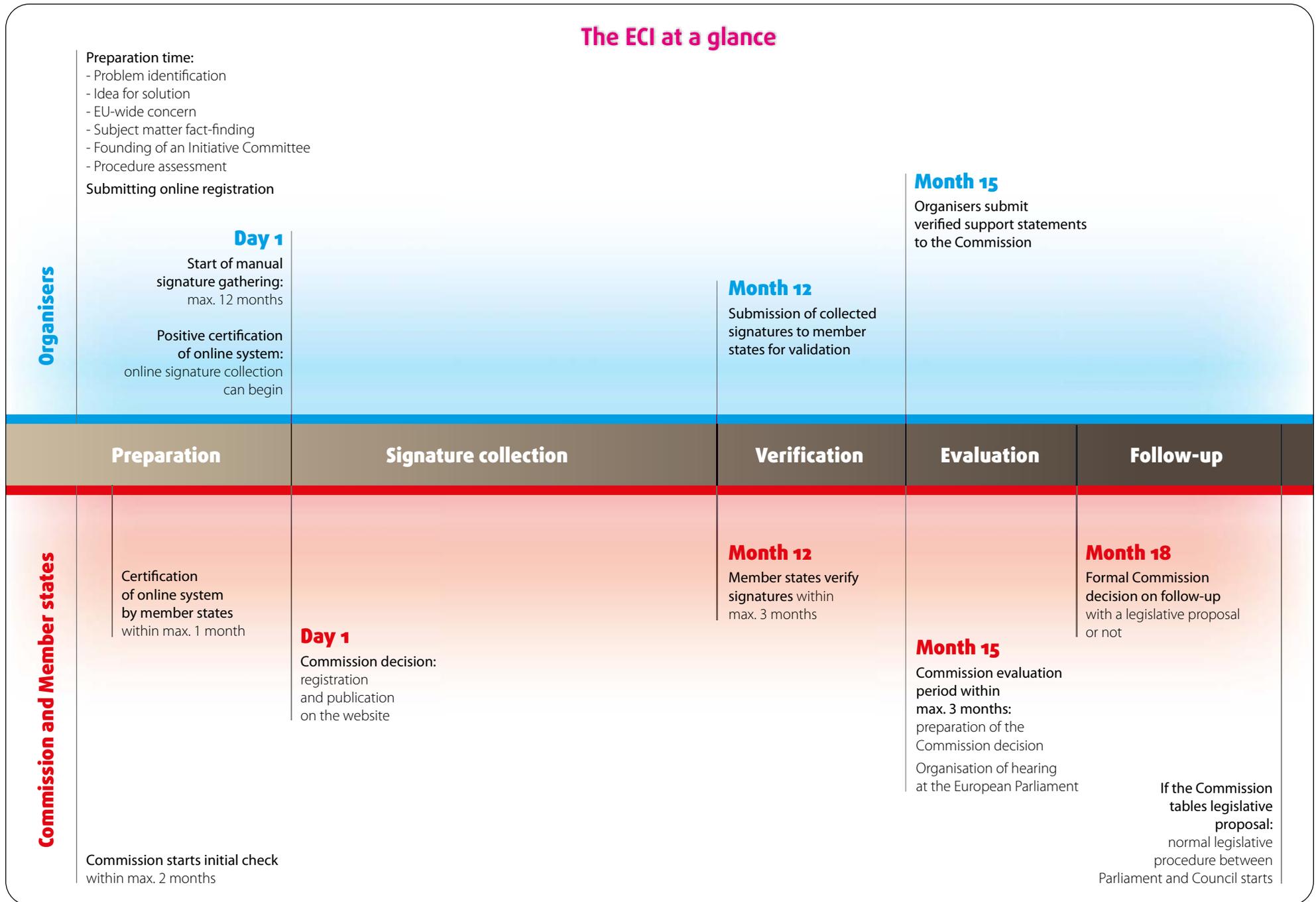
Get ready to collect signatures

It is advisable to get ready to collect signatures even before your ECI has been registered. There are two ways of gathering signatures and 'statements of support'. Such statements can be gathered the traditional way on paper (then a signature is required) or electronically (then it is sufficient to indicate personal identification information).

For the purpose of gathering support electronically, a totally new legal framework and electronic system has been established. The Commission is providing open-source software for collecting online signatures, which is available free of charge to organisers. They are of course free to develop their own system, if they so wish.

In both cases, organisers have to get their online system certified by a competent authority in the member state where the data will be stored, which will verify that it complies with all technical specifications and data protection requirements. Each member state has named a responsible authority to certify the online system. The verification should be done within a month. This certification can be obtained either before or after registering the initiative with the Commission.

The ECI at a glance



Getting people to sign

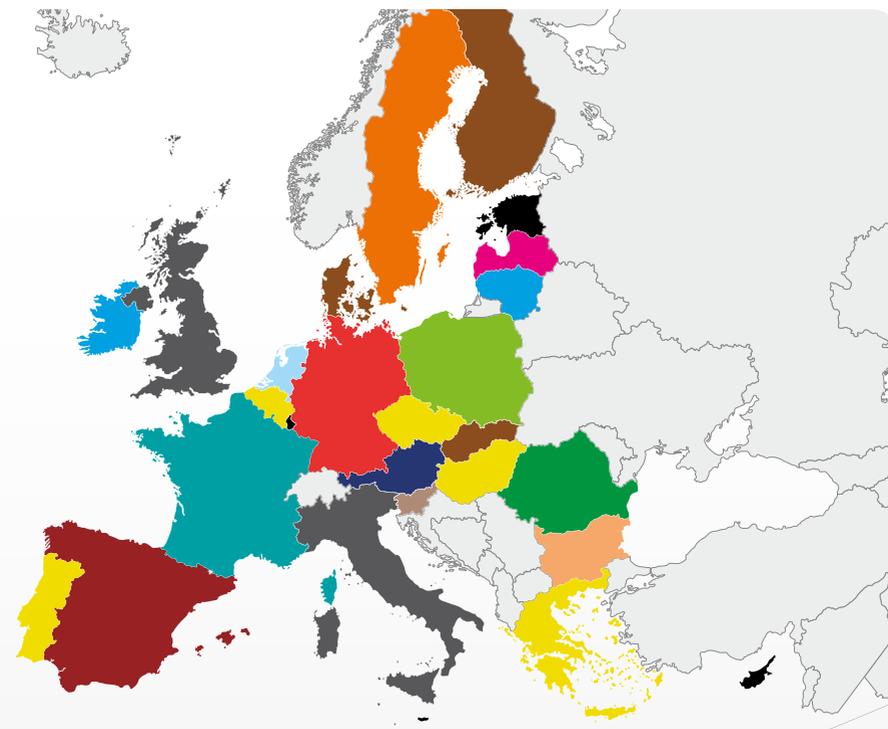
Gathering signatures will involve much more than those legal and technical requirements. Among other things, organisers will be in charge of distributing and collecting paper and online forms and keeping close track of them.

Please note that only citizens of an EU member state who are eligible to vote in elections to the European Parliament can sign an ECI. Legal residents from countries outside the EU are not entitled to sign.

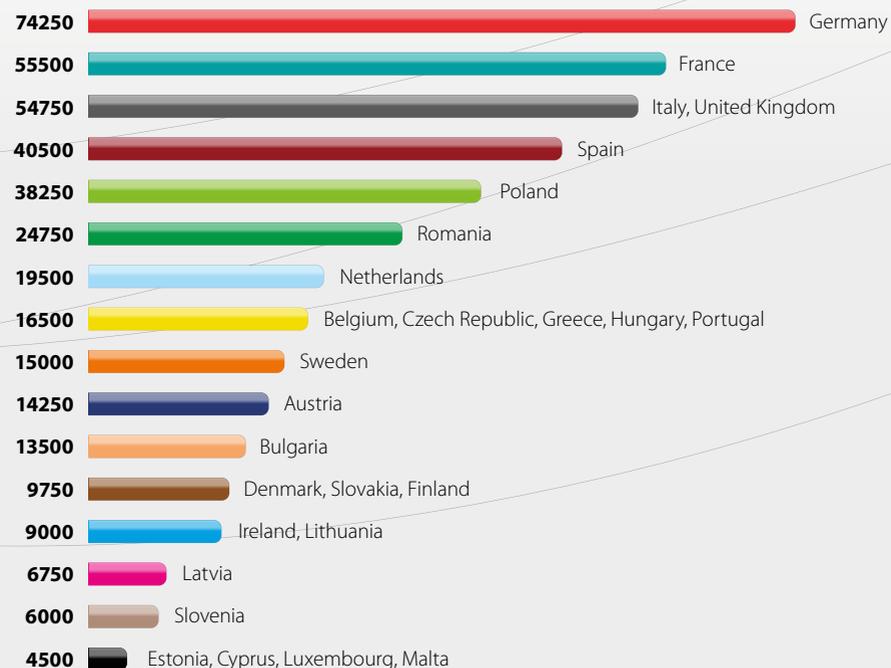
Organisers and signatories will have to make sure they use the correct form appropriate to each member state, as some member states require much more comprehensive information for each statement of support than others. This is so that they can verify the signatures later. Whereas some member states require no personal identification numbers at all, others require ID numbers or other personal identification numbers such as passport, residence permit or driving licence, or even the names of parents and places of birth. Which member state requires what kind of information can be found in the regulation.

The regulation specifies how many signatures must be gathered in a certain member state in order to fulfil the requirement of a minimum of seven countries. The numbers were calculated in relation to the number of members of the European Parliament, making the signature collection a bit easier in "large" member states and requiring proportionally more signatures in the "smaller" ones. Those numbers will be adapted to reflect possible changes in the composition of the European Parliament.

Experience with initiatives on the national and regional level has shown that not all signatures will be valid when verified by national authorities. Organisers are therefore advised to collect at least 10-20% additional signatures, in order to have a "safety margin" and not to fall short of one million by just a couple of signatures.



Minimum number of signatories per member state



Checkpoint Two: Getting your signatures verified

365 days after the initiative has been published in the Commission's register, it will be time to deliver the gathered signatures and "statements of support" to the various member states' authorities. Signatures by Danish citizens will have to be sent to Copenhagen and Cypriot ones to Nicosia. Signatures on paper and electronic statements of support will have to be delivered separately.

Member states' authorities will now have three months to check the validity of the submitted statements. They are basically free as to how this check will be done, with a random sample or a full check. Lastly, it will be important to fulfil two requirements before the ECI can be finally delivered to the Commission. First, at least seven member states must certify that the necessary amount of signatures has been gathered, and secondly, the total of certified statements must be at least one million.

Having done that and by using the available forms, the submission to the Commission will be done easily – by email (with attachments) or postal mail. Obviously, organisers will also use this day of submission for making their proposal known to a broader European public through the media.

One million signatures – and then what?

By being able to gather one million statements of support from at least seven member states, the organisers become a "pan-European agenda setter". The submission of a successful European Citizens' Initiative means that the Commission has now three months to present its legal and political conclusions on the initiative and to decide on the actions it intends to take, if any, and its reasons for taking or not taking that action.

In the course of the examination process, the organisers will be invited to present their proposal more comprehensively vis-à-vis the EU institutions at a public hearing.

At this point, some clean-up tasks will come up, as the certified files with statements of support will have to be destroyed one month after the submission to the Commission – or 18 months after the registration of the initiative. National authorities which have been certifying the statements will have to destroy the files one month after the date of certification.



And the work goes on

If the Commission chooses to follow up on the initiative by preparing a formal legislative initiative, the organisers might be keen to continue their job – now as a watchdog for the legislative process to come. But even if the Commission makes the case that an appropriate legislative proposal is not needed, desirable or necessary, the organisers of an ECI might wish to react, comment or even follow up with new actions or initiatives.

Whatever the outcome, it will be advisable for everyone involved to sum up the work done - with both comprehensive documentation and post-evaluation. This will enable everybody to draw useful lessons for the future from this multi-year process.



How the EESC can help?

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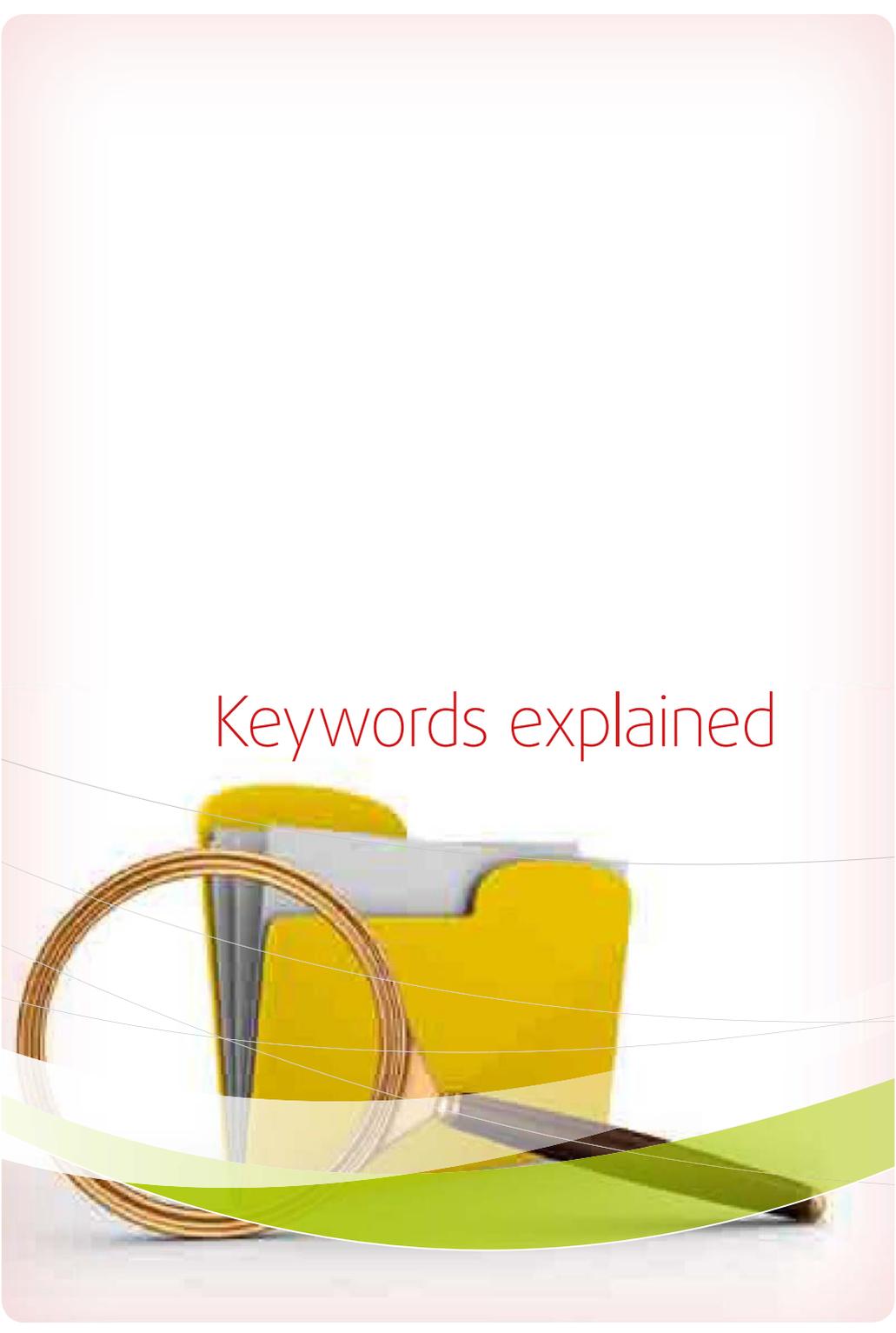
By introducing the principles of modern participatory democracy, the European Union invites all citizens and civil society organisations to actively become part of the common transnational agenda-setting and decision-making process. Article 11 of the Treaty on European Union lays the foundation of this new relationship between the citizens and EU institutions.

The European Economic and Social Committee was established to facilitate and support this. Now it is ready to support the implementation of the citizens' right of initiative, by performing its role as a bridge between civil society and the EU institutions.

The Committee is an active and facilitating party in consultations as well as in various forms of dialogue with EU institutions. To that end, the Committee has also established a Liaison Group with European civil society organisations and networks. With respect to the European Citizens' Initiative, and in addition to informing interested citizens and civil society organisations, the role that the Committee will play is to act as:

- a **facilitator of Citizens' Initiatives in preparation**, enabling those involved to network and possibly to meet;
- a **mentor**, holding hearings and issuing an opinion to assist the Commission in evaluating a successful initiative and at any stage of its follow-up.

Keywords explained



European Citizens' Initiative

The right for one million citizens across Europe to invite the Commission to propose a new EU legislation.

Organiser

The initiative committee for an ECI composed of at least seven individuals from seven member states.

Statement of support

Handwritten signatures or electronically gathered declarations to support a European Citizens' Initiative.

Registration

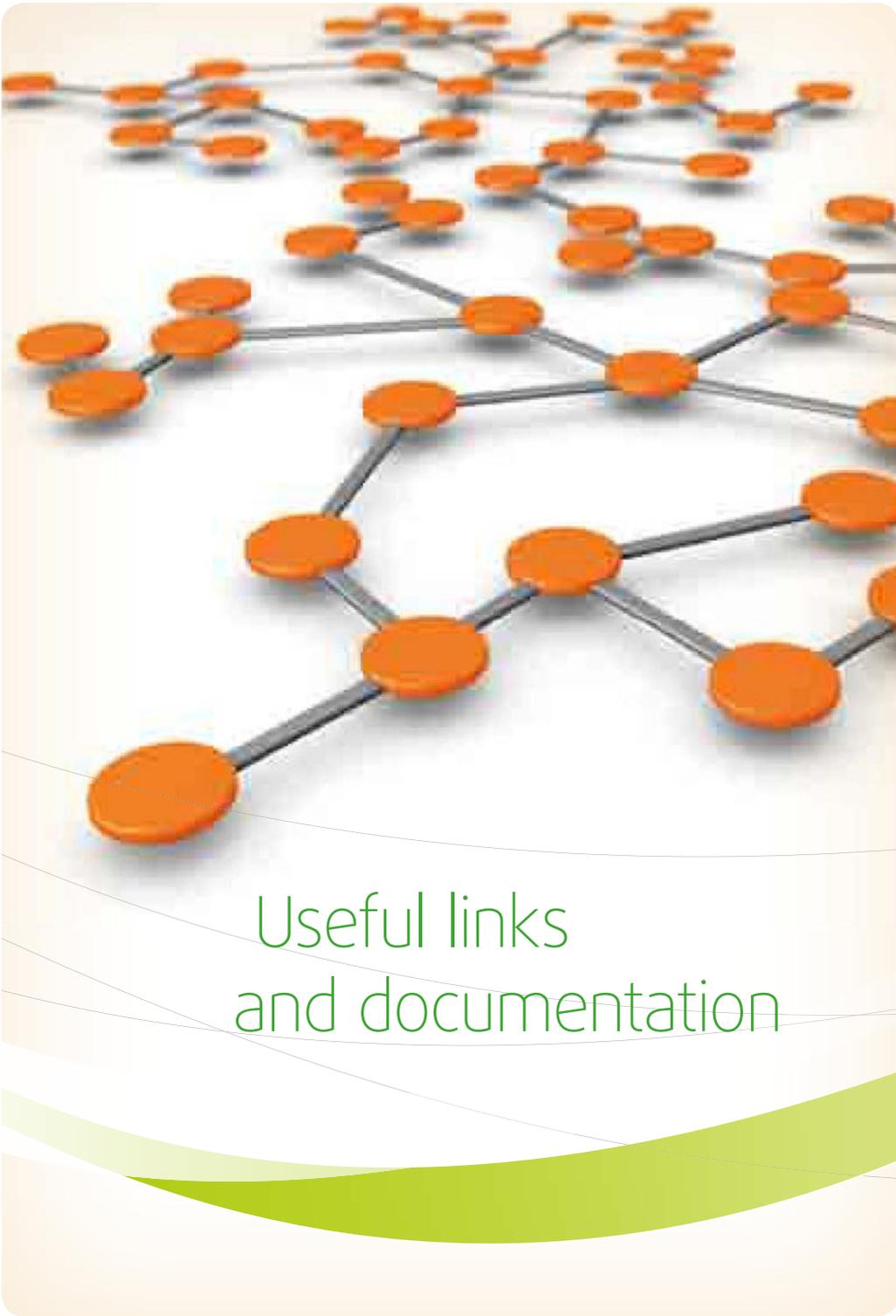
Process of registering an initiative, getting it checked and published to start the signature gathering process.

E-collection

The system of gathering statements of support on the internet, based on open source software provided by the Commission and certified by member state authorities.

Submission

Act of delivering signature certificates to the Commission, confirming the fact that a certain number of citizens from a certain number of member states supports the initiative.



Useful links and documentation

As the regulation enters into force on 1 April 2012, some technical details still needed to be worked out at the time of publication of this manual: for example the authorities in the member states responsible for the certification of the online software used to collect statements of support, or the authorities responsible for verifying the signatures.

You may contact the EESC's secretariat to get up-to-date information:

European Economic and Social Committee

Unit for Relations with Civil Society and Constitutional Affairs
Rue Belliard/Belliardstraat 99
1040 Bruxelles/Brussel
BELGIQUE/BELGIË
Email: citizensinitiative@eesc.europa.eu

EESC information on the Citizens' Initiative:

www.eesc.europa.eu/eci

EESC opinion on the European Citizens' Initiative

Reference: CESE 993/2010, published in the Official Journal C 44 of 11.2.2011.
www.eesc.europa.eu/?i=portal.en.institutional-reform-opinions-resolutions-opinions.10571

EESC opinion on Participatory Democracy and the Citizens' Initiative (Article 11)

Reference: CESE 465/2010, published in the Official Journal C 354 of 28.12.2010.
www.eesc.europa.eu/?i=portal.en.institutional-reform-opinions-resolutions-opinions.9608

The EESC's Website on the Lisbon Treaty

www.eesc.europa.eu/?i=portal.en.institutional-reform

EESC – Information on participatory democracy and civil society

www.eesc.europa.eu/?i=portal.en.civil-society

EESC Liaison Group with European civil society organisations and networks

www.eesc.europa.eu/?i=portal.en.liaison-group

European Commission

Citizens' Initiative website and register

The Commission provides a comprehensive website that contains all relevant information on the ECI, on the procedure as such and the relevant legislative texts, an overview of all ECI's, past and present, the online collection software and it includes links to the competent national authorities. In addition, it serves as a portal for organisers to register their ECI and manage their account.

European Citizens' Initiative – Website

<http://ec.europa.eu/citizens-initiative/>

Other useful contacts

Europe direct

Call 00 800 67 89 10 11 free from anywhere in the EU
<http://europa.eu/europedirect/>

European Commission representations in your Member State

http://ec.europa.eu/represent_en.htm

European Parliament - Petitions

www.europarl.europa.eu/parliament/public/staticDisplay.do?id=49

European Ombudsman

www.ombudsman.europa.eu

This brochure, written by Bruno Kaufmann (Journalist and President, Initiative and Referendum Institute Europe), gives an introduction to the European Citizens' Initiative and provides a step-by-step guide on how to launch such an initiative. It also contains a number of links for further information.

For more information: contact citizensinitiative@eesc.europa.eu



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In 2009, the EESC was awarded the prestigious «Ecodynamic Enterprise» label by the Brussels Institute for Management of the Environment (IBGE), obtaining 3 stars, the highest level possible. This label rewards organisations for good environmental performance.

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