

The Centre for Cross-Border Studies

Response to the Public consultation on the European citizens' initiative

We welcome the public consultation on the European Citizens' Initiative (ECI). We consider it particularly important at a time when the democratic functioning of the Union is both explicitly and implicitly questioned from different perspectives, most notably through the United Kingdom's leaving the EU.

In its preamble Regulation (EU) No 211/2011 of the European Parliament and of the Council establishing the European Citizens' Initiative (referred to here as the Regulation) openly states that:

The procedures and conditions required for the citizens' initiative should be clear, simple, user-friendly and proportionate to the nature of the citizens' initiative so as to encourage participation by citizens and to make the Union more accessible.

We agree with, and support, this statement. The comments and suggestions that we briefly list below aim precisely to improve and, effectively, widen citizens' participation in future initiatives.

- 1) Our first suggestion concerns the divergence between different member states' regulations on the data required for verifying statements of support. Article 8, paragraph 1 of The Regulation states that

The organisers shall submit statements of support to the relevant Member State as follows:

- (a) To the Member State of residence or of nationality of the signatory, as specified in point 1 of Part C of Annex III, or*
- (b) To the Member State that issued the personal identification number or the personal identification document indicated in the statement of support, as specified in point 2 of Part C of Annex III.*

The report from the Commission to the European Parliament and the Council (31.3.2015) also states that while the signatories to an initiative have to fulfil the requirement of a link of nationality *or* residence of a given Member State and provide personal data that allows the verification of support statements, such requirements vary between member states. As a result some EU citizens are prevented from being able to support a citizens' initiatives. An example is given of Irish and British citizens (whose countries do not require proof of nationality to verify statements of support) residing in Bulgaria, the Czech Republic, France, Austria and Portugal (countries that do require proof of nationality to verify such statements). We would suggest in this regard that the Regulation is amended to oblige reciprocity of requirements for the verification of support statements between each two member states that currently diverge in these requirements. Member states that currently require proof of nationality to verify a statement of support from a non-national resident should be required to verify statements of support from such residents, so long as they are nationals of EU states that do not, in turn, require proof of nationality in the same circumstances. As long as, for instance, Bulgarian citizens, living in either the UK or Ireland, are able to get verification of their statements of support for a citizens' initiative, without needing to be UK or Irish nationals, so should Irish or British citizens residing in Bulgaria. Such an amendment is a matter of recognising and making adequate provisions for the complex practices of contemporary European citizenship.

- 2) The second point we wish to make concerns widening horizontal access to and contacts between citizens from different member states. In this regard we suggest that the Commission might wish to provide on the ECI website a wide ranging list of civic society organisations across member states that may be engaged with and contacted by anyone wishing to find partners and support for an initiative. Only names and contacts of organisations who have voluntarily submitted these will be listed. In this manner, the aim of 'forging links with like-minded people across the continent' and facilitate 'pan-European debates' (Report from the Commission to the European Parliament and the Council, 31.3.2015, page 2) will be achieved more effectively.

This second issue also relates to the issue of the languages in which proposed citizens' initiatives are included in the register. The current regulation states that 'After the registration is confirmed in accordance with paragraph 2, the organisers *may* provide the proposed citizens' initiative in other official languages of the Union for inclusion in the register' (Article 4, paragraph 1). We would propose that, for the purposes of widening interest in, and real access to, participation and support of registered initiatives, the latter *must* be included in the register in at least the seven languages of the participating member states and, ideally, in those of all member states whether included in the original registration or not.